



Class F121

Book 165

ARCHIVES
OF THE
STATE OF NEW JERSEY.

FIRST SERIES.

Vol. IV.

This volume was compiled and edited by authority of the State of New Jersey; at the request of the New Jersey Historical Society, and under the direction of the following committee :

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DOCUMENTS
RELATING TO THE
COLONIAL HISTORY
OF THE
STATE OF NEW JERSEY,

EDITED BY

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Colonial Documents of New
Jersey, etc., etc.

VOLUME IV.

ADMINISTRATIONS OF GOVERNOR ROBERT HUNTER AND
PRESIDENT LEWIS MORRIS.

1709-1720.

NEWARK, N. J. :

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P R E F A C E .

It was stated, in the preface to the preceding volume, that it was intended this volume should contain all the remaining documents relating to the Union Era—or that period during which New York and New Jersey were in charge of the same governors—of a character to warrant their preservation in this series; but the prosecution of the work having revealed others equally deserving, another volume will have to be filled with them; so that the printing of the documents relating to the Provincial Era, commencing with the administration of Lewis Morris in 1738, is necessarily deferred to the sixth volume.

SOURCES

WHENCE THE DOCUMENTS IN THIS VOLUME WERE OBTAINED.

Public Record Office. London, England.

*Documents relating to the Colonial History of the State of
New York.*

*New York Colonial Documents in Office of the Secretary of
State, at Albany.*

Rutherford Collection of Manuscripts.

Manuscripts of New Jersey Historical Society.

Manuscripts of William A. Whitehead.

Smith's History of New Jersey.

Pennsylvania Colonial Records.

Pennsylvania Historical Society Library.

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NEW JERSEY
COLONIAL DOCUMENTS.

Governor Hunter's Instructions.

[From P. R. O. B. T., New Jersey, Vol. XIII, p. 24.]

Instructions for Our Trusty and Welbeloved
Robt^t Hunter Esq^r Our Captain General
and Governor in Chief in & ouer Our Prov-
ince of Nova Cæsarea or New Jersey in
America. Given at Our Court at ——— the
[27th] Day of [Dec^r] in the ——— Year of
Our Reign 17[09].¹

1. With these Our Instructions you will receive Our
Commission² under Our Great Seal of Great Britain,
Constituting you Our Captain General and Governor
in Chief of Our Province of New Jersey.

2 You are with all Convenient Speed to repair to
Our said Province, and being there Arrived, you are to
take upon you the Execution of the place and Trust
we have reposed in you, and forthwith to call together
the following persons, whom we do by these presents

¹ The draft was agreed upon December 23d. 1709, but the Instructions were not dated until December 27th. 1709. —Ed.

² The Commission was prepared by the Lords of Trade as early as September 15th, 1709, and will be found at length in New York Colonial Documents, Vol. V, p. 92. —Ed.

appoint & Constitute Members of Our Council in and for that Province Viz^t Lewis Morris, Andrew Brown, [Bowne,] Francis Davenport, William Pinhorn, Geo. Deacon, W^m Sandford, Rich^d Townley, Dan Cox, Roger Mompesson; Peter Sonmans, Hugh Hoddy, W^m Hall & Rob^t Quarry Esq^{rs}. * * *

[It is thought unnecessary to print the Instructions in full, as they are similar in all respects to those given Lord Lovelace which may be found on page 316 of Volume III. Some additional instructions are added, relative to the laws for regulating the Plantation Trade, but as they were not particularly applicable to New Jersey, they are omitted. They were sent to Col. Hunter also, as Governor of New York, and may be found at length in New York Colonial Documents, Vol. V., p. 144.—Ed.]

From the Lords of Trade to Governor Robert Hunter.

[From N. Y. Col. Docs., Vol. V, p. 151.]

To Collonel Hunter.

[Extracts.]

S^r

Besides what is contained in Her Maj^{ty}s Instructions to you there are several other particulars relating to your Governments of New York and New Jersey which we think Ourselves obliged to take notice of to you.

* * * * *

Tho' the design of the Act for uniting and quieting the minds of all Her Majesty's subjects in New Jersey be very good. Yet there are some clauses in the Act, which render it unfit for Her Majesty's Royal Confirmation, viz^t That it pardons (amongst other Crimes) all High Treasons, Murders, and Piracy committed be-

fore the 13th of August 1702, Whereas Her Majesty by her Instructions to you has reserved to her self the pardoning of those Crimes; which crimes are always excepted in Acts of general pardon here, and therefore we desire you to endeavour to get this amended in another Act to be passed for the like purpose.

We have no other objection to the Act for Altering the present Constitution and Regulating the election of Representatives &c^a, but that it does not ascertain the quantity of Acres necessary to qualify Persons to elect or be elected Representatives in the General Assembly, you will see by Her Majesty's Instructions what is intended upon that matter, viz^t That 1000 acres of Land, or £500 personal Estate should qualify Persons to be Elected, and that 100 acres of Land and £50 personal Estate shou'd qualify to be Electors, But if you find this Regulation too high, you may endeavour to get a new Act passed for proportioning that matter otherwise. In the mean time this Act will remain in force, without being confirmed by Her Majesty, and you will make a Suitable use of Your Instructions in that behalf.

A Complaint having been made by the Proprietors of the Western Division that the Lord Cornbury now Earl of Clarendon had caused their late Secretary to deliver all Public Books, Papers and Records to M^r Bass Secretary of the Province, and that their Records and deeds have been carried out of the Province, which may be of great Prejudice to the said Proprietors we are of Opinion (and accordingly signified the same to His Lordship) That all Books and Papers, Deeds and Evidences relating to the Property of the soil be left and do remain in the hands of the Agents for the Proprietors; and therefore if this be not remedied you will do well to give Directions therein.

The said Earl of Clarendon having informed us that an Opinion had lately been started in his Governments

viz^t That if he sends any orders to New Jersey, relating to the Affairs of that Province, whilst he is a resident at New York, they are of no force, and to the same of his sending Orders from New Jersey to New York; We think it necessary to acquaint you that it is a very groundless and unreasonable Opinion, the contrary being practised every Day here, by the Lords Lieutenants of Counties and particularly by the Lords Lieutenants of Ireland, whilst they are Resident in this Kingdom.

* * * * *

The said Earl of Clarendon having transmitted to us a Remonstrance from the Assembly of New Jersey to him, with his Answer thereunto, (a copy whereof is here inclosed) we have considered the same and have made the following Observations thereupon, which we think necessary to communicate to you.

The first Article.

It appears evidently by his Lordship's Commission that he has no power to pardon Treason and Wilful Murder: But in such Cases he was allowed to grant Reprieves to the Offenders untill and to the Intent Her Majesty's Royall pleasure may be known therein, In order whereunto he was with all Convenient Speed to transmitt to Her Majesty a full state of the matter of fact relating to such Offenders, which we do not find that he has done. Upon this Occasion we must take notice to you that the want of Prisons in New Jersey is a matter proper to be laid before the General Assembly; You will therefore represent to them the Necessity of having such Prisons built that they may grant a sufficient Fund to be appropriated to that service.

The second Article.

As to the Complaint of Paying the Fees of Court tho' the Bill of Indictment be not found by the Grand

Jury, We are of Opinion that the Person accused not being properly in Court till arraigned before the Petty Jury, no Fees till then can be demanded.

The third Article.

Tis true that the Probate of Wills and granting Letters of Administration is by Her Majesty entrusted with the Governor, yet we do not see that the settling such an Officer in each Division in New Jersey, as Proposed by the Remonstrance for the Ease of Her Majesty's subjects there, will be a lessening of the Rights of the Prerogative or of the Governor.

The fifth Article.

We are of Opinion notwithstanding His Lordship's Answer to the Remonstrance that such a Patent for the sole carting of Goods as is therein mentioned is a Monopoly within the 21st King Jac. 1st cap 3^d

We are also of Opinion that no Fee is lawful unless it be warranted by Prescription, or Erected by the Legislature, as was adjudged in Parliament the 13th of K. Hen: 4th in the case of the office then Erected, for measuring of Cloths and Canvass (vide Coke's 2^d Instit., fol. 533, 534.)

We do not think His Lordship's answer to this Article is plainly expressed for it does not appear whether the Person who has the Custody of the Records has given sufficient Security for that Trust.

Her Majesty having been pleased by her order in Council of the 24th October last (a Copy whereof is here inclosed, the Original having already been sent to the President and Council) to signify her disallowance and disapprobation of an Act passed in the Province of New Jersey in December 1704 Entituled 'An Act for Regulating Negro Indians and Mulato Slaves within this Province of New Jersey;' by reason of the Punishment to be inflicted on Negroes &c^a is such as never was allowed by or known in the Laws of this King-

dom, You are to cause the said order to be published and Entred in the Council Books of that Province, if not already done as usual.

* * * * *

So We bid you heartily farewell,

Your loving Friends

STANFORD J. PULTENEY

DARTMOUTH R. MONCKTON

PH: MEADOWS CH: TURNER.

Whitehall,
Decemb^r the 23. 1709.

Letter from Colonel Quarry to John Pulteney, Esq.¹

[From N. Y. Col. Docs., Vol. V., p. 165.]

To John Pulteney Esq^r

[Extract.]

Right Hon^{ble}

As soon as I heard of His Excellency Collonel Hunter's arrivall in his Government of New York² I hastened thether to pay my duty to him, in few days he went to the Jerseys and published his Commission in that Province to the great satisfaction of all persons and partys whose spirits and tempers he had so allayed and sweetened by his speech in Council (which was soon made publick) that there appeared a very great disposition in all persons towards an union and reconciliation of all p^ticular differences, disputes and former quarrells so that those who were the greatest enemies seemed to contend only who should soonest refer all Contests to the Judgement & Determination of so

¹ Mr. Pulteney was one of the Lords of Trade.—Ed.

² Governor Hunter arrived at New York, June 14th, 1710.—New York Colonial Documents, Vol. V, p. 165.—Ed.

good a Governor, & I begg leave to assure Your honour that the reconciliation of these private quarrells will very much tend to the accommodating all the publick disputes and Contests of the Country in a Generall Assembly; the main of all being that of Property, in which his Excellency hath assured them that he will not interpose or concern himself, but leave it wholly to the determination of the Law. Had some former Governors taken that just and prudent stepp the Country would never have been involved in those heats and confusions which of late they have laboured under. I may truly say that never any Governor was sent into these parts of the world so very well qualified to answer this great end as his Excellency Colonel Hunter is, his Judgment, Prudence and temper is very extraordinary and sufficient to overcome great^r difficulty than what he will meet with in composing the differences of these Governments. I cannot at present be more particular but shall by the next.

Before I conclude I begg leave to assure your Hon^r that his Excellency hath shewn much prudence and conduct in order to the settleing the poor Palatines by which the end which Her Majesty proposed will be effectually answered in a vast advantage and security to all these Governments. I will not presume further on your Hon^{rs} time but referr to my next and begg leave to subscribe myself. Right Hon^{ble} Your Hon^{rs} most faithful and obedient Servant

New York this 5th

ROB^t QUARY¹

July 1710.

¹ For notice of Colonel Quarry, see Vol. II, p. 380. The position held by him was that of Surveyor General of Customs, besides being a member of several Provincial councils.—ED.

*Petition of the Freeholders of the County of Middlesex
to Governor Hunter—against Peter Sonmans.*

[From N. Y. Col. MSS., Vol. LIV, p. 138.]

To His Excellencie Robert Hunter Capt^t General and Governour in Cheeff of Her Majesties Province of New Jersey, New York and Territories thereunto belonging, and Vice Admirable of the same, &c.

The Petition of us whose names are hereunto subscribed being ffreeholders of the Countie of Midxe. In New Jersey.

Humbly Sheweth,

That amongst the many memorable blessings Enjoyed by the Subjects of Great Brittian under her Majesties happy Reigne. None in our humble opinion conduces more to the advancement of their Comon Interest than the Union of the two Kingdoms of England & Scotland into one Monarchy, and since we are Informed that it is Her Majesties pleasure & Princely care by wholesome Laws to preserve it Entire In all its parts we out of a profound acknowledgment of Her Royall wisdom & goodness as well as concern for the welfare of this Province Do with all submission beg leave to Represent to your Excellencie the Insolent behavior of Peter Sonmans Esqr. In a late Election at Woodbridge where the ffreeholders were conveyened to chuse Representatives to meet your Excellencie In the then Ensueing Assembly this Gentleman is (as we are credibly Informed) an Alien born and Bankrupt In England tho unworthily dignified with Hou. Officers In the Government endeavored to disunite the Affections of the people by publickly declaring We will not go to North Brittian for Justice No

Turkish Government. No french Government No Arbitrary Government. Liberty and property For y^e more Effectuall accomplishing of his sinster designs he endeavored to ouerawe the Electors in opposition to that freedom our happy Constitution allows he dared the Sheriffe to set up Capt: Farmer as a Candidate and ordered him to take M^r Mathew Moore in to Custody and M^r Stillwell in a threatening manner at the time of the Pols that he had his Name down &c: his deportment was Inconsistant with the Gravity of a Counsellor the truth whereof will be attested by undeniable concurrent Testimonies. We shall not trouble your Excellencie with more Complaints but shall pass in silence severall Enormous crimes which he might be Justly charged with and which he escaped with Impunity by the Death of the Lord Lovelace which was A Generall loss to this Government and is now repaired by Her Majesties unparaleted care & prudence In placeing your Excellency over us And as we Esteem it our singular happiness so,

We humbly pray that your Excellency will take the premises under your wise consideration and use such methods as your Excellency will Judge expedient to unite the affections of Her Majesties most happy Subjects and to discourage all * * * * that already has or for the future may molest the publick peace and tranquillitie of this Province and your Petitioners as In duty bound shall ever pray.

Allen Callwell	George ^{his} × Cumin	William ^{his} Oulver
Thomas Redford,	George ^{Mark} Brown,	Geo Willocks
John Molleson	Tho. Leonard	John Barclay
Jeremiah Field	John Campbell	Jn ^o Rudyard
Robert Webster,	Mathew Moore	Tho: ffarmer
Robert Grachoise	Henry Pofen	Jediah Higgins
Will Layng	W ^m Harrison	Tho Wetheril
John Curyset	Edward Harrison	John Brown

Daniel Clackford	Michiel Van * *	David Hewett
Elisha Parker,	John Field	Wm. Thomson
Daniel Stillwise	John Harrison	John Mathie
Robert Wright	John Scotts	William Hoost
John ffreeman	John Pike	Henry Knap
John Bishop	Adam Hude	Chas. Pike.
Sam ^l Leonard	John Die	Richard Cutter
Will Sharp	Thomas Grub	John Ford
	Benjamin Cumin	

*Letter from Governor Hunter to Lord Dartmouth,
Secretary of State—relating to Lady Lovelace.*

[From N. Y. Col. Docts., Vol. V, p. 169.]

New York y^e 28 July 1710

My Lord

Her Ma^{ty} was pleased to direct me to see that justice was done here to my Lady Lovelace, and spoke very feelingly of that Lady's affaires, when I had the honor to kisse her hand for leave. The case stands thus: By an Act of Assembly in the Jerseys there was £800 given to the Lord Lovelace; after his death there was another Act of Assembly past giving £500 of that sum to Coll. Ingoldsby the then Lieu^t Govern^r £100 for contingencys, and £200 only to the Lady Lovelace. I suppose by this time both these acts are laid before her Ma^{ty} and I make no doubt of her Ma^{ty}s approving the first and disapproving the latter, but the difficulty will be to gett back the money. Coll. Ingoldsby having already toucht it and his necessitous circumstances will hardly allow him to refund, as I am Inform'd. I wait her Ma^{ty}s orders in that matter and shall do all my best to procure that Lady justice, and in every thing to act for her Ma^{ty}s service, which on many acc^{ts} ought to be

the whole businesse of my life, and beg your Lordship to believe that I am with the greatest gratitude and deepest regard,

My Lord Your Lo^{ps} most faithfull
and most humble Serv^t,

Ro: Hunter

I wrote at large by the Kingsdale: this comes by the Maidstone.—

Governor Hunter to the Lords of Trade—respecting an intended meeting of the New Jersey Assembly.

[From N. Y. Col. Docs., Vol. V, p. 170.]

To the Right Hon^{ble} the Lords Commissioners
of Trade and Plantations.

[Extract.]

My Lords

The Assembly in the Jerseys is to meet at Burlington the 14th of November next, where I foresee more difficulties, if possible, then I have mett with here, the Council were divided about the place of meeting, one

¹ ROBERT HUNTER was the first of the royal Governors of New Jersey, who regarded the province with sufficient favor to secure upon its soil anything like a permanent home. He had a comfortable dwelling at Perth Amboy, commanding a fine view of the harbor and ocean beyond, which he made his official residence when on tours of duty in New Jersey, and at other times when seeking recreation or relief from the pressure of his administration of New York affairs. He was born in Scotland, and at first was apprenticed to an apothecary, but subsequently entered the army, and in 1707 bore the title of Colonel. In that year he was appointed Lieutenant Governor of Virginia through the influence of Addison, then Under Secretary of State, who with Swift, Steele and other literary and distinguished men of that day, were his personal friends and associates. He did not reach Virginia, being captured by the French and detained a prisoner in Paris for some months. Addison still continuing one of the Secretaries of State, Hunter, in September, 1709, was appointed Governor of New York and New Jersey, and arrived at New York, June 14th, 1710, and commenced an administration more successful than any

party insisting upon the Act past last Assembly (which is not yet returned with her Majesty's Approbation or dissent) in their meeting for the future at Burlington, The other, on the Instruction for their meeting alternately at Burlington and Amboy, I proposed that in regard to the season there being hardly any house at the place called Amboy, they should meet pro hac vice at Burlington and in case her Majesty should think fit to disapprove of that Act, that Sessions to be made good to Amboy by the two next ensuing which was accordingly agreed to.

* * * * *

I beg leave to subscribe myself, My Lords,
Your Lordships most humble and
obedient Servant

RO: HUNTER.

(Supposed [N. York] Oct: 3^d 1710.)

which had preceded it, and which in substantial benefit to the Province no one exceeded.

There were many discordant elements at work in the Province, and the majority of the Council were opposed to the measures which the Governor was disposed to favor as being called for by the public generally. He adopted the views of Lewis Morris, Dr. John Johnstone and others, including the Quaker interest, known as the "Country party," and necessarily brought upon himself the opposition of all those who had been countenanced and sustained by Lord Cornbury, leading to his asking, in May, 1711, for the dismissal of Pinhorne, Coxe, Sonmans and Hall, who represented that faction in the Council. The documents that follow show the many and varied difficulties Hunter had to encounter.

In addition to his property at Perth Amboy he purchased in 1710 Mattencunk Island in the Delaware, near Burlington, retaining possession of it for several years after he left the Province, and at one time was anxious to secure a tract of land at Inlans Ferry, now New Brunswick.

While in the army he married Lady Hay, the relict of Lord John Hay, and daughter of Sir Thomas Orby, Bart., and had several children. Mrs. Hunter came to America with the Governor, but died in August, 1716; and his own health failing, he left his governments in 1719 never to return. On his arrival in England he effected an exchange with William Burnet, taking an office in the Customs then held by that gentleman and resigning his position in America. In 1727 he was appointed Governor of Jamaica. His interest in New Jersey was not lessened by absence, nor did distance estrange him from the many friends he had here secured by his intelligence, ability and many gentlemanly characteristics. He retained his interest in a considerable quantity of land, and an active correspondence was kept up with James Alexander and others. He died in 1734 leaving one son and three daughters, one of the latter being married to William Sloper, who at one time was Secretary to Lord Cornbury.—History of Perth Amboy and Surrounding Country—New York Colonial Documents—Swift's Works. Rutherford MSS.—Ed.

*Letter from John Barclay—relative to preparations for
the accommodation of Governor Hunter.*

[From N. Y. Col. MSS. in office of Secretary of State, Albany, Vol. LIV, p. 90.]

Per: Amb. 9^{br} 1st 1710.

Dear S^r

The inclosed is an answere to yours, you sent by me to The Revernd M^r Talbutt whom I overtooke before he gott to Burlington, and I went with him to view M^r Tathams house at the Poynt, where his Excellencie may have the use of six Roomes 3 In the Lower Story & 3 above. All in pretty good repaire besides a kitchen In the sellar & a Pantry with dressers and shelves which is under Lock & Key as Also a small sellar which will secure what Liquors may be putt In it Mr. Trent happened to be at Burlington when I was there who told me he had good wine of his owne who has promised to send a Pipe of the best he can buye for his Excellencie I have spoke also for Hay & Oates, and gott the promise of a Load of Clover grass for the Horses, there is Also A very good stable and I have spoke for firewood.

M^r Gardner has promised to lend his Excellencie a large table and a dozen of chaires there is a small table or 2 & a Chest of drawers, In the house together with 2 bedsteads standing with curtains & two bedds & bolsters All belonging to Mr Tatham I suppose his Excellencie will send some Household furniture before he Comes himself with some of his servants to take care of it and whoever goes may apply themselves to M^r Robert Wheeler Mer^{cht} In Burlington M^r Talbotts Landlord where they will find the keyes of the house he will be Assistant to procure what shall be needfull to be gott ready Against his Excellencie comes himselfe, I suppose that you have heard that Mr. Bass has gott himselfe chosen for one of the

Representatives of Burlington which was done by A trick as I was credibly Informed the people not having Legall warning of the time of the Election And those that had the cheeffe hand In buying him have a Designe of getting one Charles Cose to be Clerk to the Councill as a Deputy who was some time agoe a servant to Coll. Coxe. I am also Informed that Coll. Coxe has lately expressed himselfe very maliciously Against me telling how severely I ought to be dealt with & showing the Evidences they have taken against me so that if he & M^r Sonmans [?] * * * of my Judge at the next Supream Court I must expect to be prosecuted as iff I had done what they accuse off out of designe & for a reward therefore I begg you to use all the means you can that if its possible I may not be so violently prosecuted as one should be that had been guiltie of an ill thing on purpose I think you told me you thought the Cheeffe Justice would not be severe upon me so I leve it to your selfe to mention me to him or gett any one Else to do it as you see cause or if you think it convenient for me to confess the matter of fact so as I really was ledd Into it & what advice you can give me In this unfortunate affaire I wish you could send it me either in writing or by word of Mouth by M^r Raygneere, who is my friend so being unwilling to trouble you any further with my Humble Duty to his Excellency & humble service to yourselfe

I remaine

Your very Humble servant

JOHN BARCLAY.

Capt: Hamiltons Mother gives her Duty to his Excellencie & says she is sorry she cannot lend him anything at present haveing sent most of her Household ffurniture to New-York Intending to move there.

Statement under oath, respecting the conduct of Peter Sonmans at Woodbridge.

[From N. Y. Col. MSS. in office of Secretary of State at Albany, Vol. LIV, p 91.]

MEMORANDUM that on the first day of November Anno: Dom 1710. George Willoks Thomas Farmer John Rudyards John Johnson Junior and John Barclay came before me Thomas Gordon Esq, one of Her Majesties Councill for the Province of New Jersey, and did solemnly swear upon the Holy Evangelists of Almighty God, That being yesterday at Woodbridge at a meeting of the Freeholders of this Countie of Middlxe: appoynted for Electing of Two Representatives for said Countie to serve in the General Assembly of said Province at Burlington the Fourteenth of November Instant they the said deponents & Every of them did hear Peter Sonmans Esq. speak publickly amongst All the people In the time of the Election We will not go to North Brittain for Justice No Turkish Government, no French Government, Liberty and Property. Capt Farmer answered that he taxed the Queens prudence, (or words to that Effect) who was pleased to Appoynt a North Brittian Governour, he after said with a Loud voyce, No Turkish Government No French Government. No Arbitrary Government &c: then turned about and clapt his hand upon his breach and made a great noise And the said Sonmans upon some words that passed between him and Mathew Moore, Commanded the Sheriffe (when on horse back at the time of the Election) to take s^d Mathew Moore Into custody and very much disturbed the Election and as the Deponents firmly beleieve Endeavored by Virtue of his Authority to overawe and terrify the Electors.

Jedediah Higgins swears also to what is above writ-

ten excepting only these words (clapping his hands on his breach) and they further say not.

9th 2^d Anno, Dom 1710.

John Barclay	Jedediah Higgins	John Pike
George Willocks	Tho: Farmer	Jn ^o Rudyard
John Johnson Jun.		

John Pike being also sworne deposeth to the truth of what is above written excepting clapping his hands on his breach.

*Letter from Governor Hunter to the Lords of Trade
—about the place of meeting of the New Jersey
Assembly.*

[From the N. Y. Col. Docs., Vol. V, p. 177.]

To the Right Hon^{ble} the Lords Commissioners
of Trade and Plantations.

[Extract.]

My Lords

The slow measures of this Assembly¹ have obliged me to adjourn that of the Jerseys to the first of December next, which should have met this day.

I acquainted Your Lordships in mine by the Deptford of the expedient I found to end the dispute about the place of meeting of that Assembly. If your Lordships think it for her Majesty's Interest that there should be one Assembly for the two Provinces, I believe Her Majesty's approbation of the Act past in Colonel Ingoldesby's time for that Assembly's meeting constantly at Burlington for the future, it

¹ Of New York.

would be an inducement for the Majority of the Proprietors and inhabitants to address for such an Union.

* * * * *

Your Lordships' most obedient
and most humble Servant

[New York]

Ro: HUNTER.

Nov^r 14th 1710

Address from New Jersey Council to Governor Hunter.

(From P. R. O. B. T., New Jersey, Vol. I. C. 95.)

To his Excellency Rob^t Hunter Esq^r Cap^{tn} General & Govern^r in Chief in & over the province of New Jersey &c^a.

The humble Address of the Members of her Maj^{ties} Council for the province of New Jersey whose names are hereunto Subscribed.¹

May it please Yo^r Exce^l!

The Law of Heaven as well as that of Nature requires y^e Support of Governm^t the necessity whereof, hath been allowed in all ages & our own Experience hath let us see how usefull it is to maintain the Hon^r and Dignity of the Crown, in ord^r to the preservation of the Libertyes and propertyes of the Subjects of all Nations in the Universe Wee have reason to Esteem ourselves the most happy in being Subjects to the Queen of Great Brittain the best of Princes, and under the Wisest Constitution of Government in the world, not to be mended by humane Invention. Wee therefore Deem our Selves in Conscience bound as far as in

¹ The copy for the Lords of Trade did not reach them until March 31st, 1711, having been forwarded to Portugal.—Ed.

us Lyes in Our Severall Stations to use Our Endeavours to preserve the Prerogative from Lycensious Incroachments as the Rights & Libertyes of the Subject from open violation

That all Just Debts of the Governm^t be duely satisfied, that Courts of Judicature be thoroughly established that fitt and proper Officers be appointed in Each County. That convenient Jayles for the Security of Debtors & Crimenalls be Erected and that there be a Steady Equall & Impartiall Distribution of Justice to all men are the true & reall Sentiments of our Souls And has been our Utmost Aime & constant Practice and amidst the Confusions & disorders of this Collony Since Wee have been Stil'd & treated as a party.

With all humility think it necessary to Acquaint Yo^r Excel that this is the Party & the only party wee have 'ver been of And from w^{ch} wee can see no reason to recede But thinke the Duty of Our trusts & tye of our Oaths required these things which wee Suppose to be agreable to the reason and Justice of Mankind to the hon^r of the Crown & the quiet & prosperity of the Province.

The Noble Character we rec^d of Yo^r Excel Loyalty Justice & Great Abilityes before wee had the hon^r of seeing you assured us of all Imaginable Countenance & Support in these our just Endeavo^{rs} And Since Justice is thereby & Surest foundation of Governm^t & the Strongest Ligament to sement the minds of men in peace & Union Wee could not but rejoyce to hear that worthy expression of Yo^r Exc^y at yo^r first arrivall in this Province that Justice should be impartially administered & that there should be no Determination of any mans property but by Legall proceedings in the ordinary Courts of Judicature w^{ch} has since been confirmed to us by Yo^r Exce^{ys} Speech at the opening of this present Assembly.

Wee heartily pray for Yo^r Excel^{ys} happyness and

prosperity and shall Sincerely as in Duty bound use
reall Endeavours to Support the honour of y^e Gov-
ernm^t and the preservation of the peace & wellfare of
this province and Yo^r Excel^{ys} Administration

W^m PINHORNE

RICH^d TOWNLY

DAN^l COXE.

[January 1710-11]

ROGER MOMPESSEX

PETER SONMANS

HUGH HUDDY—

WILLIAM HALL

ROB^t QUARY—

[These Eight above are the Gentlemen of the Coun-
cil that opposes his Excel^y in Every thing who sets up
for the true friends of the L^d C. [Cornbury.]]¹

Minutes of House of Assembly of New Jersey.

[From P. R. O. B. T., New Jersey, Vol. I, C. 95.]

Die Martie 9 ho A:M: 2^d January 1710 [1710-11.]

The Engrossed Bills Entituled an Act for Regulating
& appointing Fees of the Severall Officers & Practi-
tioners of the Law in all Courts of this Province of
New Jersey, And the bill Entituled an Act for Regu-
lating the Practice of the Law being Read the third
time were agreed to by the House & ordered to be sent
up to the Councill for their Concurrence

The House according to ord^r Resolved into a Com-
mittee of the whole House to consider further of the
papers Layd before this H^o by his Excel^{ty} after some
time spent therein M^r Speaker resumed the Chair &
Doctor Johnston Reported from the s^d Committee

¹ By whom the lines in brackets were added is not stated.—Ed.

That the 43^d Article of her Maj^{ties} Instructions being read Requiring an Act to be past for Settling the Properties & possessions of all Persons concerned in this Province they do think it to be a matter of the greatest concern for the quieting of the minds of the People & making the People happy but do think it will be to no purpose to spend time about such a bill seeing the Council has put them out of all hopes of having any such Act to pass.

Doctor Johnston also Reported from the s^d Committee that the sixtieth Article of her Maj^{ties} Instructions being read requiring An Act to be past for those people that make a Religious Scruple of Swearing to the like Effect of that past in the 7th & 8th of K W^m the third in England so far as may be consistent with good ord^r & Govern^{mt} that the ho[use] have already sent up such an Act to the Council for their Concurrence as near to the like Effect as the Circumstance of this Collony will admit of which the Council rejected without committing the Same.

And further that the 94th Article of her Maj^{ties} Instructions being read requiring An Act to be past Ascertain^g y^e Quallifications of Jurors that the same was included in the Act Entit^l an Act for ascertaining the Quallificac^ons of Jurors & Enabling the people called Quakers to serve on them &c^a which the Council rejected without Committing the same as is Reported before to the 60th Article And that he was directed to move that they might have leave to Sit again &c^a.

January 3^d A Committee was appointed to prepare & bring in a bill to relieve Persons agrieved by an Act Entit^l An Act for Settling the Militia of this province past in the 3^d year of her Maj^{ties} Reign.

The Engrossed bills Entituled An Act for Preventing Corruption in Courts of Justice And the Bill Entit^l An Act for the better Settling and Regulating the

Offices of the Sec^y & Clarke of the Supream Court were sent up to the Council for Concurrence.

The House haveing been Creadably inform'd y^t An Address was sent to her Maj^{ty} signed by the Council in the year 1709 which Address the H^o conceives to be in the Minutes of Council Orders that Doct^r Johnston & M^r Fretwell attend upon his Excell^y & request a perusall of the Minutes of Council relateing to the Expedition against Canada and get a Copy of s^d Address & lay before this H^o which message they performed. And M^r Sec^y brought a message from his Excell^y that he was Commanded from his Excell^y to show to the h^o of Representatives such minutes of Council as related to the passing of Laws during the Administra^{on} of Coll Ingoldsby but the Council does not consent to the showing the Address or Representation.

January 4th The Engrossed bill Entit An Act for Relieving the Creditors of Persons that are or shall hereafter become Bankrupts in the Kingdom of Great Britain was sent up to the Council for their concurrence.

ORDERED that An Act be prepared and brought in to prevent comenceing Actions und^r £10 in the Supream Court & removeing the Same from the County Courts of Common Pleas.

January the 5th An Act for Regulating Elections & ascertaining the Qualifications of Representatives of this province was read the first time.

The H^o according to ord^r Resolved into a Committee of the whole H^o to consider further of the Support of Governm^t after some time spent therein the Speaker resumed the Chair & Doctor Johnston reported from s^d Committee that they had come to severall resolves w^{ch} they had directed him to report to the H^o which are as followeth Viz^t

Resolved that five hundred pounds' Proclamacon mony be raised for his Excell^{ys} Salary a Year.

Resolved that One hundred Pounds Proclamation Mony be raised for his h^o Rent fire Candle Expenses &c^a a Year

	£
Resolved &c ^a For the Chief Justice - - - -	100
For the Treasurer - - - -	40
For the Clerk of the Council - - - -	35
For the Clerk of the Assembly - - - -	45
For the Doorkeeper to the Council - - - -	10
For the Doorkeeper to y ^e Assembly - - - -	12
For the Serj ^t At Arms - - - -	12
For the Auditor Generall - - - -	40
For the Printer - - - -	30

RESOLVED that the above Support of Government be for two years provided Coll^o Hunter continue so long Governo^r &c^a

Ordered that the H^o Resolve itself into a Committee of the Whole H^o on Monday next to consider further of y^e support of Governm^t &c^a

The Above is an Abstract the above four days proceedings of the Assembly.

Burlington Jan^{ry} 6th 1710 [11].

Extract from Minutes of the New Jersey Assembly, January, 1711—expelling Major William Sandford.

[From Smith's History of New Jersey, p. 374.]

A copy of a paper entitled

The humble address of the lieutenant governor and council of Nova Cesarea or New Jersey, in America, to the Queen's most excellent majesty: signed by Richard Ingoldsby, William Pinhorne, Roger Mompesson, Thomas Kerell, Daniel Leeds, Daniel Coxe, Richard Tounley, William Sandford and Robert Quarry in the

year 1707, was read in the house; and being taken into consideration, the question was put, whether the said humble address (as it is called) of the lieutenant governor and council to the queen's most excellent majesty, be a false and scandalous representation of the representative body of this province in the present and former assemblies, or not it was carried in the affirmative. A motion being made, and the question being put, whether this house do address her majesty for the justification of the proceedings of the representative body of this province, in the present or former assemblies or not? it was carried in the affirmative.

A motion being made, and the question being put whether any person that has signed the above mentioned false and scandalous representation of the representative body of this province, be a fit member to sit in this house, or not? it was carried in the negative.

Major Sandford,¹ one of the members of this house, having acknowledged that he signed the above mentioned address to her majesty, was asked if he would acknowledge his fault to this house for the same? his answer was, he signed it as he was one of her majesty's council, and was only accountable to her majesty for the same; wherefore the question was put, whether Major Sandford be expelled from this house for the same or not.

Ordered that Major Sandford be expelled from this house, for signing a false and scandalous paper, called the humble address of the lieutenant governor and council to her majesty, in the year 1707, and he is expelled this house accordingly.

¹ For a notice of Major Sandford see Vol. II, p. 314--and East Jersey under the Proprietors, Second Edition, p. 116.—ED.

The Representation of the General Assembly of New Jersey to Governor Hunter—relating to the Administration of Governor Cornbury.

[As printed in Smith's New Jersey, p. 376. Original in P. R. O. B. T., N. Y., Vol. II. D. 6.]

The humble representation of the general assembly of her majesty's province of New-Jersey.

To his excellency Robert Hunter, Esq; captain general and governor in chief of the provinces of New Jersey and New-York in America, and vice-admiral of the same, &c.

May it please your excellency,

When the lord Lovelace was pleased to let the representative body of this province know, that her majesty desired to be informed of the causes of the differences between the gentlemen of the council and them; nothing could be more satisfactory; because they entirely depended, that a person of so much justice and veracity, would put things in their true light; and had he lived long enough to have complied with her majesty's commands, we had not now been under the necessity of laying the following representation before your excellency.

We are very sorry we have so much reason to say it was lately our misfortune to be governed by the lord Cornbury, who treated her majesty's subjects here not as freemen who were to be governed by laws, but as slaves, of whose persons and estates he had the sole power of disposing. Oppression and injustice reigned everywhere in this poor, and then miserable colony; and it was criminal to complain or seem any way sen-

sible of these hardships we then suffered; and whatever attempts were made for our relief, not only proved ineffectual, but was termed insolence, and flying in the face of authority: The most violent and imprudent stretches of arbitrary power, were stamped with the great name of the queen's prerogative royal; and the instruments and strenuous assertors of that tyranny, were the only persons, who in his esteem and their own, were for supporting her majesty's government: Bribery, extortion and a contempt of laws, both human and divine, were the fashionable vices of that time; encouraged by his countenance, but more by his example: and those who could most daringly and with most dexterity trample upon our liberties, had the greatest share both in the government of this province and his favour: This usage we bore with patience a great while, believing, that the measures he took proceeded rather from want of information or an erroneous judgment, than the depravity of his nature; but repeated instances soon convinced us of our mistaken notions; and that he was capable of the meanest things, and had sacrificed his own reputation, the laws, and our liberties, to his avarice: No means were left untried, that gave hopes of gratifying that sordid passion. The country was filled with prosecutions by informations of the attorney general, contrary to law: Those of her majesty's subjects who are called Quakers, were severely harrassed, under pretence of refusing obedience to an act of assembly for settling the militia of this province, when neither the letter nor meaning of that act justified the severities used on that account; the measures that were then taken, being chiefly such as the implacable malice of their adversaries suggested: The rights of the general proprietors, which upon the surrender of the government, were promised to be preserved inviolable to them, and which her majesty, by her instructions, had taken all possible care to do, were

by him invaded in a very high degree; their papers and registers, being the evidences they had to prove their titles to their lands and rents, violently and arbitrarily forced from them, and they inhibited from selling or disposing of those lands; by which means their titles were made precarious, the value of lands through the whole province fell very much, and a great stop was put to the settlement and improvement of it: To be short, all ranks and conditions of men grossly abused, and no corner of the country without complaints of the hardships they suffered from the exercise of a despotick and mistaken power: An administration so corrupt, so full of tyranny and oppression in all its parts, induced the assembly to have a regard to the cries of that unhappy country they represented, and to endeavour (if possible) some redress, and accordingly, in a most humble manner, remonstrated to his lordship their grievances; who was of opinion, their remonstrance lay open to a very ready answer; but that he might give them no occasion to say he had done it with heat and passion, he took some few days to do it; but with what coolness and temper it was done, those who have seen it can judge; they both lie before your excellency (No. 1 and 2.) Sometime after the assembly were adjourned; and when we met again, made a reply to that answer; which reply (No. 3.) lies before your excellency; but neither the one nor the other procured the desired effects; on the contrary, the number of our grievances were increased, some of the most considerable of our inhabitants deserted the province, and many of those that remained thought themselves unsafe in it; the only hopes they had, was the arrival of the lord Lovelace, which supported their sinking spirits, and gave them an expectation of better days.

Upon the first sitting of the assembly, after his arrival, he communicated to them a paper, called, *The*

address of the lieutenant governor and council of New Jersey. It was no surprize to us, to find any thing indecent or virulent proceeding from such men; but it was with some concern, we beheld what endeavours they had used, to render her most gracious majesty disaffected with her honest and loyal subjects here, by accusations which were not only false, but what they knew to be so, at the time of their writing of them, and which we had made appear to be so, had they not used evasions and shifts to avoid coming to the test, in the time of lord Lovelace, and while the assembly was sitting; then they seemed to be for reconciling matters, and burying every thing in oblivion, in hopes their own deeds of darkness might partake of the same covering; and hoped the sweetness of that noble lord's temper, and inclinations to peace, might secure them from that examine which was necessary to expose them in their true colours; and how much on that occasion they fawned and flattered, appears by an address of theirs to him, which for the peculiarity of the language (and we might say the unintelligibleness of the terms) ought never to be forgotten: It begins thus, *Your lordship has not one virtue or more, but a complete accomplishment of all perfections, &c.* and at the same time they were deifying him (if such an address could do it) they were were caballing and articling against him, triumph'd in his death, and have barbarously treated his memory; and notwithstanding the *laws of heaven and nature*, (as they are pleased to express themselves) and all the fine things they say of you, added to the justness of your administration, they'll give you the same treatment when they can; the knowledge we have of their practices, has made us trespass a little longer on your excellency's patience than we at first designed: But to return to the address: we believe the gentlemen of the council have transmitted something to one of her majesty's secretaries

of state, which they called proofs, and with all the secrecy they could, hoping it may obtain at that distance, especially when backed by some whose interest it is, that all they have said be credited: To prevent the ill consequences that may attend the belief of what they have said, or indeed can say, we shall endeavour to prove every article of the said address false; and the subscribers knew several of them to be so at the time of their signing; what we say is publick, not carried on in darkness, to prevent that reply, which the gentlemen concerned to justify themselves, and upon the spot, may make if they can.

We begin with the title of the address; which is *The humble address of the lieutenant governor and council of Nova-Cesaria, or New Jersey in America.*

This carries a falshood in the very front of it; for it was no act of council; but signed by some in the western, and by others in the eastern division of New Jersey, by one or two in New-York, at different times, being privately carried about by a messenger of my lord Cornbury's; and some were raised out of their beds to sign it: it never pass'd the council; was never minuted in the council books, and the lieutenant governor has several times protested he signed it without ever reading it: The gentlemen of the council cannot deny the truth of this; if they do, we can prove it; but to justify themselves they say, *it was signed by the lieutenant governor and the gentlemen of the council, though not in council;* So that it's plain, they designed to abuse the queen, by giving it the stile of an act of council, which her majesty and every body that reads it would take to be so, when they knew in their consciences it was not so; but that their malice or servile fears induced them to sign it, and may not improperly be called, forging an act of council; it's apparent that Roger Mompesson, esq; signed it by himself; that it was brought to him as an act of council, and that as

such he thought himself obliged to sign it, as by his reasons for signing it appears; which reasons could have had no weight, had he not understood it to be so; for he owns he never examined into the particulars of it.

The first article is, *We the lieutenant governor and council of her majesty's province of Nova-Cesaria or New Jersey, having seriously and deliberately taken into consideration the proceedings of the present assembly or representative body of this province, thought our selves bound, both in duty and conscience, to testify to your majesty our dislike and abhorrence of the same.* This is true, if signing any thing without reading or examining into the particulars of it, and by some between sleeping and waking, be arguments of seriousness and deliberation, otherwise not; except by the words *seriously* and *deliberately*, be meant, their resolutions on all occasions to do what the lord Cornbury commanded them; as indeed their signing this address, and their conduct in every other thing, did but too plainly evince, to be the only seriousness and deliberation they were capable of: When col. Quarry sign'd that address, we believe he was misled, and depended too much on the credit of others; we must do him the justice to own, that he has of late declined joining with them in many of their hot and rash methods, and behaves himself at present like a man of temper, who intends the service of the queen and good of the country. These addressors tell her majesty, that they were *in duty and conscience bound to testify their dislike and abhorrence of the same to her*: Had they abhorred falsehood, and discharged their duty as in conscience they were bound to do, in refusing to join with the lord Cornbury, in all his arbitrary and unjust measures, and particularly in that scandalous address (pardon the expressions) the country would not have had that just cause to complain, as

now they have, and in probability always will, while they continue in their present stations: There were no proceedings in that assembly that any honest man had reason to dislike; and their endeavours for the good of the country, deserve the highest praise, and ought never to be forgotten by New-Jersey.

The second article is, *That the unaccountable humours and pernicious designs of some particular men have put them upon so many irregularities, with intention only to occasion divisions and distractions, to the great and weighty affairs which her majesty's honour and dignity, and the peace and welfare of the country required:* The so many irregularities are, we suppose, what the lord Cornbury mentioned in his answer to their remonstrance; which that house replied to; as may be seen in their reply (No. 3.) and whether they were irregularities or no, the world can judge; but be they what they will, the addressors are never able to prove, that the unaccountable humours of some particular men put them upon them; they may indeed boldly say they did, and if that will do, they may say again, that it was with *intention to occasion divisions*, &c. but that neither proves, that any particular men influenced that assembly, nor that the intentions of doing so, where as they say; that being impossible for them to know; and if we may be allowed to know the intentions of that assembly, they were otherwise than what the addressors represent them to have been.

The 3d article was, *That we had highly encroached upon her majesty's prerogative royal.*

The 4th, *That we had notoriously violated the rights and liberties of the subject.*

The 5th, *That we had manifested interrupted justice.*

These three articles are what the lord Cornbury in his answer to the remonstrance, charges that assembly

with, which are fully answered in the aforesaid reply, and proved to be false charges; and this the addressors knew when they signed the address, if ever they read the reply or address (which is very much to be questioned) and we believe, if the truth were known, notwithstanding their pretensions to seriousness and deliberation, they had little more hand in it than setting their hands to it as we shall endeavour to evince: It is undeniably true, that it was signed at different times and different places; it then must be true, that it was brought ready drawn to the signers, and its very probable that they did not read it, certainly not with any consideration: The lieutenant governor, as we observed before, has owned he did not, and the late chief justice, Roger Mompesson, Esq; a man as likely to read and consider as any of them, owns under his own hand, he never did examine the particulars of it: which is, in other words, owning he did not read it; and its not very likely the rest should: These three articles are the very words used by the lord Cornbury in his answer: the whole address seems to be an abridgment of that answer, several sentences the same, the stile the same, and the same vein of intemperance and ill nature through them both; and in all likelihood done by his lordship, who made the addressors father whatever his lordship was ashamed to own.

The 6th article is, *That the remonstrance was a most scandalous libel.*

The 7th, *That the Lord Cornbury made a full and ample answer to it.*

The 8th, *That the reply of the house of representatives of the province of New-Jersey, was a scandalous and infamous libel;* and they add on that head, *this last libel came out so suddenly, that they had not time as yet, to answer it in all its particulars.*

Certainly it is impossible, that ever men in their right wits, after reading such an address, should sign

it! Was it ever known, that any book or paper wrote by a house of commons, was called a *libel* and a *most scandalous and infamous libel*? If the gentlemen had intended to shew their talents of railing and abusive language; they could hardly have taken a more effectual way, than by that address, which if it prove nothing else, proves them to be very much masters of those qualifications; but we cannot be of opinion, that their calling the remonstrance or reply a libel, proves them to be so; nor had they any reason to expect it would be taken by her majesty, for anything more than a demonstration of their want of temper; for if those two papers were libels, then the house of representatives might have been punished for them, or at least prosecuted; and if so, any vote, resolve, address or remonstrance that they made, or any other house of representatives (the authors of them) to the same inconveniency, whenever the gentlemen of the council were pleased to call them so: This is so contrary to the known practice of England, to the laws, to the rights and privileges of the house, that it is a needless labour to prove, either that the gentlemen never read what they signed, or knew what they signed to be false at the time of their signing it: But to say a little more, the remonstrance and reply are so far from being false, that they are most true: Several of the facts are owned by the lord Cornbury, and where he either evades or denies them, they are made out in the reply: His bribery was proved by a cloud of evidences in the house; and whatever else is charged upon him, he knew to be true; and it is neither in the power of his full and ample answer, nor even of the address itself, to persuade the contrary: The assembly say indeed in their remonstrance, *Had the affairs of New-York admitted his lordship oftener to attend those of New-Jersey, he had not then been unacquainted with their grievances; and that they were inclined to believe they could*

not have grown to so great a number. This, perhaps, may be one of the falsehoods the addressors mean; and truly it ought to be acknowledged, that the then assembly had no reason to believe his lordship's presence in this province would have any other effect, than the increasing, instead of diminishing their grievances; but when the addressors say, that *the reply came so suddenly out, that as yet, they had not time to answer it in all its particulars:* They seem to imply, that they had answered it in some of them: which has not been done, no, not as yet, though it has been out above three years: And, *its coming out so suddenly,* &c. is a great mistake, to say no worse of it; for it had been out about six months before their address was signed: This is another proof that they never read the address before they signed it; or if they did, that they knew what they signed to was false, at the time of their signing.

The 9th article is, *That these disturbances are owing wholly to mr. Lewis Morris and Samuel Jennings, men of turbulent, factious, uneasy and disloyal principles men notoriously known to be uneasy under all government, and men never known to be consistent with themselves.*

The 10th article is, *That to these men are owing all the factions and confusions in the governments of New-Jersey and Pennsylvania.*

These articles are not only the stile of the lord Cornbury's answer to the remonstrance; but for the most part the very words. If mr. Morris, and mr. Jennings were such men as the addressors say they are, viz. turbulent and factious, uneasy under all governments, and the causers of the factions and confusions of New-Jersey and Pennsylvania; then certainly to continue thus turbulent, &c. evinced they were not inconsistent with themselves, but constantly pursued the same measures: This was an expression the lord Cornbury

was very fond of, and very much used, and the addressors here have been but the parrots of his thoughts; and all they have said of these gentlemen (one of whom is in his grave, viz. Mr. Jennings) is a notorious abuse; for whatever was done by the assembly (if it's their proceedings they call disturbances) was not done either by the influence of Mr. Morris or Mr. Jennings, but from a just sense of their duty, in discharge of the trust reposed in them by the country, and to prevent the ill effects of an arbitrary and unjust use of power, by the lord Cornbury, so much encouraged by the slavish compliances of the addressors, men never known to be inconsistent with themselves, nor we fear never will.

We should not trouble your excellency longer on this head, did we not know this is an article which the addressors think they can justify, and which they suppose will prove a sufficient defence for all they have said; therefore, to put this matter in some measure out of dispute, we say, in the first place, that should they be able to prove what they say in that article, yet it would not justify their other accusations, nor the severe reflections they have unjustly made on the representative body of this province; 2dly, It plainly appears by the journals of the house, that the assembly insisted on the same things, when neither Mr. Morris nor Mr. Jennings were among them; and now endeavours to evince to your excellency, that their proceedings were reasonable. 3dly, The disturbances in Jersey or Pennsylvania, ascribed to Mr. Morris or Mr. Jennings, were no other than the opposition of an unlawful and unjust authority, and that during the proprietors government, before it was surrendered to the queen; so not a fit matter to have been at that time seriously and deliberately meddled with by the addressors, and could be done with no other intent but to mislead the queen, into a belief that Pennsylvania and

New-Jersey, were then disturbed by these gentlemen; 4thly, We do not find, that ever Mr. Morris was concerned at all, even during that time, the western division of New-Jersey or Pennsylvania.

The 11th article is, *That this is done with design to throw off the queen's prerogative royal, and consequently to involve all her majesty's dominions, in this part of the world, and the honest and good well meaning men in them, in confusion, hoping thereby to obtain their wicked purposes.*

It is evident from this article, that the accusations of Mr. Morris and Mr. Jennings, were to mislead the queen into such a belief as we have instanced; 1st, from their using the terms (is done) being in the present tense: 2dly, they assign the reason why 'tis done, viz. not only to encourage this government, but all the governments in America, to throw off her majesty's prerogative royal, and as a consequence of that, to involve all her dominions in this part of the world, &c. in confusion; which is in plain English, *throwing off our allegiance, and revolting from the crown of England*; the addressors in the first place, suppose all the plantations on the continent of America inclinable to a revolt, whenever they have an opportunity; or at least if they don't believe it themselves, would have the queen believe so, and be apprehensive of some danger from it; which if she had, it's natural enough to suppose such severe methods would have been taken as would prevent any such thing; so that what the addressors have said, is not only an accusation of all the plantations in America, of want of loyalty and affection to her majesty; but an endeavour to alienate her affections from them; We thank God it has not had the ill effects they intended, and hope no representation founded on the malice of any men, ever will; but that the authors of them may always meet with as little credit as they deserve: Can it be thought, or

could the addressors themselves ever seriously and deliberately think, that the province of New-Jersey, (one of the most inconsiderable of all her majesty's colonies and the most incapable of making any defence, having no fortification that exceeds a stone house, and of them but very few, a great part of whose people are quakers, who by their principles are against fighting) would be so unaccountably mad, as throw off their allegiance (especially to be the first in doing it) and expose themselves to unavoidable ruin and destruction? Whoever can seriously think this, and with deliberation assert it, ought very seriously, and without much deliberation, be confined to the society of madmen, as persons that can seriously and deliberately believe and say any thing; which is all we shall say to this ridiculous, as well as malicious charge, and pass to the 12th article; than which nothing more untrue, and knowingly so, could be asserted, as we shall by what follows, make out; the article runs thus: *That the assembly are resolved neither to support the queen's government with a revenue, nor defend it by settling a militia.*

Now it is plain, that this house never did deny to raise a sufficient support for the government, and took proper care concerning the militia, as by the several acts for those ends does more largely appear; nay, when the expedition against Canada, was on foot, we gave three thousand pounds for that end, over and above the support of government; and the casting vote for the raising that money, and the settling the militia now, was given by Mr. Hugh Middleton, one reputed a quaker; so that it will very easily appear, that accusation of the addressors, was not only very untrue, but that they knew it to be so at the time of their signing of it; nay more, we shall make it appear, that the gentlemen of the council have used their utmost endeavours to defeat the government of a necessary sup-

port, and to frustrate, as much as in them lay, the expedition against Canada; so that the accusation lies most justly against them, and not against us; for the acts for the support of the government, and settling the militia, made in the time of the good lord Lovelace, was pass'd by them with the greatest difficulty; and the act for raising three thousand pounds, towards carrying on the expedition against Canada, was at their direction, by Elisha Lawrence and Gershom Mott, two of their tools, who were members of this house, (and were not quakers) voted out, and who on the first and second reading, voted for it, concealing their design of voting against it, otherways care had been taken to put it out of their power; and to make it appear, that it was done with design, by direction of the lieutenant governor and council, to cast a reflection on the house, and to justify their allegations in their address, even at the expence of defeating the expedition; the lieutenant governor colonel Ingoldsby, tho' assured by the speaker, and other members of the house, that if the house was prorogued but for twenty four hours, care should be taken the bill should pass: who presently after did, notwithstanding, adjourn the house, from the thirteenth of June to the twenty eighth of July following; a time so long, that if the house and council had been never so willing, the season would by that time have been so far advanced, that it had been of no use then to have raised either men or money towards that expedition; as the lieutenant governor and council very well knew; and had not the honourable colonel Nicholson, and col. Vetch, in an extraordinary manner, prest the calling the house sooner than the time appointed, viz. on the twenty third day of June, neither money nor men had been raised on that account: This we think comes up to a demonstration, that these gentlemen, rather than not gratify their resentments, and give some colour of justifying what

they had said, chose to sacrifice the service of the queen, and the common good, on so extraordinary an occasion, to their private piques; and indeed their proceedings ever since, have confirmed the country in that opinion, and exposed their conduct to a just censure, and shewed that they have been so far from *endeavouring* (as they say, in the last article) *by application to the governor, to remove the grievance, if any were*; that if their best advice was at any time offered, it was rather how to continue and render them more intollerable: We are sorry we have so much reason to say this as we have; but a long and uninterrupted series of despotick and arbitrary government exacts it from us; and which we are sure they will, to their power, continue as long as to the great misfortune of this colony, they remain in any places of publick trust.

To enter into a detail of their several male-administrations, 'twould take up more time than we can at present spare, and stretch the bounds of this representation to too great a length: We have already laid before your excellency some proofs against mr. Hall, one of the council, of his extortion, and imprisoning and selling the queen's subjects; who, if they had been guilty of the crimes alledged against them, ought to have been prosecuted accordingly, and not discharged on any hopes of private gain; and if not guilty, ought not to have been laid in prison and in irons, and by those hardships forced to become his servants, rather than endure them: But a man that could, after taking up adrift several casks of flour, deny them to the owner, and sell 'em, is capable of any thing that is ill; and how fit for so honourable a post as one of her majesty's council, or indeed any other place of trust in this government, is most humbly submitted to your excellency's consideration

. Were there nothing against Mr. Peter Sonmans, but

his being indicted for perjury; from which by a pack'd jury he was cleared, as appears by the memorial (No. 4.) there being but too much reason to believe he was justly accused: it would be no mean reason to lay him aside from her majesty's council; it being some sort of reflection to continue a person even supposed guilty of so heinous a crime, in so high a post, which her majesty in a particular manner has endeavoured to secure the honour of, by directing in her instructions that *no person necessitous or much in debt shall be of it*; much less a person known to be a bankrupt, as Sonmans is, and who at this time, and for some years past, has lived in open and avowed adultery, in contempt of the laws, which his being in power not only protects him from being punish'd but enables him to carry on his wicked designs, by imposing on the honest and simple people, who suspect no trick from a person of his rank; as appears by the depositions (No. 5) relating to the Amboy petition against dr. Johnston and mr. Reid; and to stretch and warp the laws, to the manifest prejudice, ruin and undoing of many of her majesty's subjects whose complaints from the several parts of the province (so unfortunate as to be under his direction,) we make no doubt has long e'er this reach'd your excellency's ears; and which, we persuade ourselves, will, when your excellency is satisfied with the truth of them, have their proper effects.

The courts of law in which the gentlemen of the council were judges, instead of being a protection and security to her majesty's subjects, of their liberties and properties, in disputes that came before them, became the chief invaders and destroyers of them both; and what should have been the greatest benefit, proved the greatest grievance: as we shall instance in a few of the many things we could: And first, notwithstanding her majesty, for the ease of her subjects here, has been pleased to appoint the supreme court of this

province to be held alternately at Amboy in the eastern, and Burlington in the western division of this province: yet the causes of one division are tried in the other, and juries and evidences carried for that end, at the great and needless charge of those concerned, as well as great expence and lots of time to the people in general; who can receive no benefit by the courts being held alternately, if the ends for which they are so held, be not answered, and causes tried in the same division to which they do belong: besides it is a practice of very mischevious consequence, making the people entirely depend on and be subject to the judges of the said court, who can by that method, lay any persons they do not like, under the necessity of being at the beforementioned charge, and make them that way sensible of their resentments; which, as we have instanced, they have been too ready and willing on all occasions to do: Secondly, the writ of habeas corpus, the undoubted right, as well as great privilege of the subject, was by William Pinhorne, Esq; second judge of the supreme court, denied to Thomas Gordon, Esq; then speaker of the assembly; and, notwithstanding the station he was in, was kept in fifteen hours a prisoner, until he applied by the said Pinhorne's son, an attorney at law, and then, and not before, he was admitted to bail; which fact, as well as other things, may appear by the said Gordon's case (No. 6) now laid before your excellency. The proceedings against a person in that station, and at that time, made it but too evidently appear that the said Pinhorne would not stick to join with the lord Cornbury in the most daring and violent measures, to subvert the liberties of this country: and cannot be look'd on by this house, or any succeeding assembly, duly considering the procedure and the address above-mentioned, afterwards signed by him, but as a person ready and willing on any occasion, to attempt upon their liberties, and overthrow

them if he can; and how safe we can think ourselves while he continues in power to hurt, is most humbly submitted.

Many persons prosecuted upon informations, have been, at their excessive charge, forced to attend court after court, and not brought to tryal, when there was no evidence to ground such informations on; but they kept prisoners in hopes that some might be in time procured; and two of them, to wit, David Johnston and his wife, after some weeks imprisonment, not admitted to bail till they entered into a recognizance, the condition of which was, *That if the lord Cornbury was dissatisfied with admitting them to bail, upon notice thereof signified to them, they should return to their imprisonment*: His lordship was dissatisfied, and Leeds and Revell, who took the recognizance, sent their orders to them to return according to the condition of it.

Actions have been suffered to continue, after the persons in whose names they were brought, have in open court disavowed them, declaring they had never given orders for any such actions to be brought.

Actions upon frivolous pretences have been postponed, and the tryals delayed to serve particular persons, when the juries and evidences were all ready, and attending on the tryals.

Though it be the right of the subject, by proper writs, to remove actions from any inferior to a superior court; yet at the court of sessions held at Burlington, in December 1709, colonel Daniel Coxe, colonel Hugh Huddy, colonel Thomas Revell and Daniel Leeds, esquires, justices of the said county, did reject a writ of certiorari, obtained by mr. George Willocks, and allowed by Roger Mompesson, chief justice, and committed said Willocks till he entered into recognizance, to appear at the next court of oyer and terminer.

The case of Peter Blacksfield, who by a mistake or design, was divested of his estate, and ruined; is so well known to your excellency. that we need say nothing more about it.

The people called quakers, who are by her majesty admitted to places of the most considerable trust within this province. are sometimes admitted to be evidences; as one Mr. Beaks, a quaker, was in a capital case against one Thomas Bates. at a court of oyer and terminer. held by justice Mompesson, col. Coxe, col. Huddy, and others; on which evidence, he was condemned to be executed; and sometimes they have been refused to be jurors or evidences, either in civil or criminal cases; so that their safety, or receiving the benefit of her majesty's favour, seems not to depend on the laws, or her directions, but the humours and capricios of the gentlemen who were judges of the courts: We, with all humanity, take leave to inform your excellency, that the western division was settled by those people. who combated with all the inconveniencies attending a new settlement: and with great difficulty and charge, have from a wilderness improved it to be what you now see it is; there are great numbers of them in it, and should they not be admitted as evidences or jurors, they would be very unsafe; for it is in the power of ill men. to come into their religious assemblies, and murder as many as they please, and with impunity, tho' look'd on by hundreds of quakers; or break open their houses and rob with safety; and the encouragement the gentlemen of the council have given to the meanest of the people. to abuse them, confirms us in the opinion, that there wants not those who have will enough to perpetrate the greatest mischiefs on that people, when they can escape the punishment due to their crimes.

The procedure of the whole body of the council. in relation to Mr. Barclay, is a demonstration of their

arbitrariness and partiality, as by his case, (No. 7.) now laid before your excellency, will more fully appear. When he produced a commission before them from the proprietors in England which superceded that lame one given to Mr. Sonmans; they (as appears by an order of council) took the said commission from him: than which nothing could be more arbitrary and unjust; for that commission was the property of Mr. Barclay, and he had the right of executing the powers of it; and if any persons was aggrieved, or the commission not good, the law was open to dispute it; and a copy of it sent to the queen would have answered all the just ends that sending the original could do: It was indeed a short way of determining in favour of Peter Sonmans, and putting it out of the power of Mr. Barclay, to right himself, during that administration: The gentlemen may call this a strenuous asserting of the queen's prerogative royal; but we can call it by no other name than an open robbery, committed in their judicial capacity, under a pretence of authority: than which nothing could be worse, or of more pernicious consequence.

To conclude, all persons not friends to the gentlemen of the council, or some of them, were sure in any tryal at law to suffer: everything was done in favour of these that were: Justice was banish'd, and trick and partiality substituted in its place: No man was secure in his liberty or estate; but both subjected to the caprices of an inconsiderate party of men in power, who seemed to study nothing more than to make them as precarious as possible. Your excellency's coming, has put a check to that violent torrent of injustice and oppression, that bore down every thing before it; and we hope, that during your administration, ill men will not have authority to hurt, nor their representations gain any credit with a person so able to discern the motives of them; which are no other, than the grati-

fication of their own resentments, even at the price of the publick safety, as we have in great measure already proved; and their proceedings now does plainly confirm what we have offered; for what can be the intent of rejecting our bills without committing of them, but to irritate us to that degree, that nothing might be done, either towards the support of the government, or the settling of a militia, that they might have wherewithal to justify themselves in what they have said of us? What was the cause of their rejecting the bill for preventing of corruption in courts of justice, but the consciousness of their own crimes, and the fears they had of that examine, which must necessarily have exposed their conduct to a due censure? What was it that made them throw out the bill against bankrupts (though made by her majesty's express direction) and profess themselves against any bill whatsoever on that head, but the dread they had of feeling the just consequences of it themselves? Nay, one of them, William Pinhorne, esq; by name, was pleased to say, it was with horror and amazement he beheld a bill with that title; we are not so fond of the bill as it was drawn, but that we would have readily joined with the council in any reasonable amendments, had they offered them; but we think no honest man could be against a bill that makes the estates of persons becoming bankrupts, liable to pay their just debts; and we hope New-Jersey won't long be a sanctuary for such. The bill, entitled, *An act for enabling persons aggrieved by an act for settling the militia for this province*, was, to make the distresses unreasonably and illegally made on pretence of the militia act, returnable to the owners, and to punish the persons that did it; but this they will not pass, knowing that so just an act would be attended with consequences they can by no means bear; the instruments of that oppression being to be protected by them at any rate, and

nothing to be heard against them, because they were officers of the government, tho' their practices were never so unreasonable or unjust, and her majesty's subjects left remediless, and must patiently sit down, after having their houses and plantations plundered, and their persons abused by a crew of needy and mercenary men, under pretence of law; but it was such persons that were useful to them, and such they must for their own safety, protect: 'Tis for this reason they combine together, to secure, as far as they are able, Jeremiah Bass, their clerk, the secretary of this province, and prothonotary of the supreme court; in all these offices his pen is to be directed by them; they dread an honest man in these offices: How he has behaved himself, is in some measure known to your excellency, especially in the case of Dennis Lynch, the Maidenhead people, and Peter Blacksfield; the two last are notorious malversations in his office, and appear under his hand, and by the minute books of the supreme court; and it is no excuse in him, when men are turned out of their estates and ruin'd, to say, it was a mistake; if such an excuse would do, it is very easily made on any occasion: and in this province, can be safe, when such a person continues in offices of so great trust. All the original copies of the laws passed in the time of the just lord Lovelace, are somehow or other made away with; Bass offers to purge himself by his oath, that he has them not, nor knows any thing of them; and it may be so for aught we know; but in this province where he is known, it is also known, that few men ever believed his common conversation, and several juries have refused to credit his oath: he corroborates what he says with the evidence of Peter Sommans, one of the council, a person once indicted for perjury; and how he was cleared, the aforesaid memorial makes out; so that we do not think him a person of sufficient credit to determine

that point. It is certain, that the secretary's office is the place those laws ought to be in, and he ought not on any pretence to have parted with them out of the province: It is certain, the lieutenant governor ought, within three months after the passing of them to have sent copies of them to the lords commissioners for trade and plantations, and duplicates of them by the next conveyance after; and this under pain of her majesty's highest displeasure, and the forfeiture of that year's salary, on which he should *on any pretence whatsoever* omit the doing of it; how comes it then about, that neither the secretary Bass, nor mr. Cockrill, private secretary to the lord Lovelace, and who lived six months after his master's death, was never examined about them? Mr. Cockrill could have cleared up that matter while alive, if the lieutenant governor could be thought so grossly to neglect what he knew to be his duty; why did not mr. Bass apply to him in all that time for those laws? If he had parted with them, as he pretends, so much against his will, it was very natural to suppose he would have used the utmost application to get them again; yet no one enquiry is said to be made after them, either by Bass or the lieutenant governor, of the lady Lovelace, who staid in New-York long after the death of her lord, or of his secretary; nor no noise at all made about them till this time, so long after the arrival of your excellency; can any body think it was the interest of either the lord or lady Lovelace, or his secretary, or any of his lordship's friends, to destroy a law which gave the lord Lovelace eight hundred pounds, and without which he could not have it? but it does appear to be the interest of the lieutenant governor and his friends to destroy it; for they had got an act passed, which took from the lord Lovelace three hundred and thirty pounds of that money, and gave it to the lieutenant governor; and two hundred and seventy pounds more of it was given

to him for the support of the government. Had he sent the act made in favour of the lord Lovelace, to the queen, for her approbation or disallowance, and her majesty had approved of it, as in all probability she would have done, then the act made in colonel Ingoldsby's favour had been void; but had the other gone home first, there was an expectation it might pass, the queen knowing no more about the first act, than that a vote had passed in favour of the lord Lovelace.

And to make it plainly appear, that colonel Ingoldsby, and the gentlemen of the council, were apprehensive of the danger of sending those acts to England; to the act we have now past, for making the printed copies as effectual as if the originals were in the secretary office, that your excellency may be enabled to transmit them to her majesty; they have added a providing clause, that the act made in col. Ingoldsby's time, (which takes that money from the lord Lovelace) shall not by this act we have past, be made void in the whole or any part thereof; but continue in full force and virtue, as if this act had never been made: This amendment they insist on, tho' they knew, and do know, we will never agree to a clause so foreign to the title and intent of the bill; but this is done by them, with design that the bill shall not pass; by which means her majesty will be without authentic copies of the acts, during that good lord's administration; and they hope will confirm the acts past in colonel Ingoldsby's time: What we have said on this head, shews very plainly who are the persons that ought, with most reason to be charged, with the making away those original laws.

We are concerned, we have so much reason to expose a number of persons, combined to do New-Jersey all the hurt that lies their power: Her majesty has been graciously pleased to remove colonel Richard Ingoldsby from being lieutenant governor, and we can-

not sufficiently express our gratitude for so singular a favour; and especially for appointing your excellency for our governor: We have all the reason in the world to be well assured, you will not forget that you are her subject: but will take care that justice be duly administered to the rest of her subjects here; which can never be done while William Pinhorne, Roger Mompasson, Daniel Coxe, Richard Townley, Peter Sonmans, Hugh Huddy, and William Hall, or Jeremiah Bass, Esqrs, continue in places of trust, within this province, and seek some safer place of abode: We shall wait till your excellency can transmit accounts of the state of this colony, to her majesty; and assure you, that we will on all occasions very readily, to our power, comply with her majesty's directions, and be wanting in nothing that may conduce to make your administration happy, both to yourself and us.

Signed by order of the house of representatives.

Die Veneris, A. M. /
9 Fe.—1710. (

WILL. BRADFORD, Clk.

[The governor answered, 'that her majesty had given him directions to endeavour to reconcile the differences, that were in this province; but if he could not that he should make a just representation to her; and that he did not doubt, but that upon the representation he should make, her majesty would take such measures, as should give a general satisfaction.']

*Letter from Governor Hunter to the Commissioners of
Customs—About the Removal of the Collector at
Perth Amboy.*

[From the N. Y. Col. Docts., Vol. V, p. 329.]

[Extracts.]

Gentlemen

* * * * Another thing I shall take notice of to you is Mr. Birchfeilds¹ suspending Mr. Farmer from his Collectors office at Amboy in New Jersey the sole reason seems to be his non residing and the delay vessells were put to by that means: this is in some measure true but Captⁿ Farmer did not live for some time at Amboy. But [it] is likewise true that at the time of his suspension and for some months before, he lived there with his family and if its allowable to a Collector to live out of his Port Mr Farmer had the best reason to expect it of any man for his House on Staten Island in the Province of New York is directly opposite to Amboy from which Port no vessell can goe or come without his seeing it, but to take away all occasion of complaint he appointed a Deputy at Amboy who duly attended there, but you will perceive by the Affidavits and representation to Mr Birchfeild where complaint is of his not attending, that little or no notice is taken of any enquiry being made after his deputy.

The truth of the matter I take to be thus: Mr Birchfeild having (as I am credibly informed) promised this office to Mr Swift even before he had seen Mr Farmer or been at Amboy, was resolved to make room for him on any pretence or he would never have displaced Mr Farmer, for not living in Amboy and put in Mr Swift a

¹ The Surveyor General of Customs.

Tavern Keeper in New York, where he lives with his family and indeed very seldom leaves it to attend his duty at Amboy which is near forty miles from his habitation.

Had Mr Swift been in Commission and been suspended to make room for Mr Farmer t'would have been much less surprising the latter being a gentleman of honesty and very good capacity for that employ. The former a Tavern Keeper of no good reputation but on the contrary blackened with the imputation and violent presumption of crimes unfit to be mentioned.

I am very unwilling to give you the trouble of a Recommendation but the good service Mr Farmer has done His Majesty in the Assembly of Jersey being a principal instrument in settling a support for the Government and promot^d her interest in whatever else came before that house, deserves some notice.

I heartily wish I had as good reason to speak well of Mr Birchfeild, whose office if rightly administered leads him to do a world of good, but I have too good cause to say, the use he has made of it has had very pernicious effects. Merchants by his behaviour and passionate desire of gain are discouraged, officers whom he tells he ought to go equal shares with in the perquisites of their places are made very uneasy, and in short whatever he has any influence in has a very ill aspect, I wish he would take example by Col Quary

* * * * *

Gentlemen &c

Ro: HUNTER.

New York May 7th 1711

Communication from Governor Hunter to the Lords of Trade—with a number of documents referring to affairs in East Jersey.

[From N. Y. Col. Docts., Vol. V, p. 199.]

To the R^t Hon^{ble} the Lords Commissioners for Trade and Plantations

[Extracts.]

My Lords

* * * * * I have such variety of matter to trouble your Lordships withall that I am at loss where to begin.—I shall follow the order of time

Immediately upon prorogueing the Assembly of this place I went to attend that of the Jerseys where I met with difficulties of a new nature, there I had a Council to struggle with which had well nigh rendered all my endeavours for her Majesty's service there as fruitless as the humours of the Assembly have done here.

I am ordered by her Majesty to compose the differences there, or Report their true Causes, and what opposition I meet with. The former being past all human power or Act I shall do the latt^r with all the candor imaginable; It is needless to goe back soe farr as the Assembly's Remonstrance in the Lord Cornbury's Government, your Lordships having had sufficient trouble in that already. But that remonstrance begott the Councils address, com'only soe called w^{ch} indeed was not soe, but a private Act of a number of the Counsellors signed by them at different times and in different Provinces, and by two of them, as they have own'd to me, much against their inclinatioⁿ being wise enough to foresee the consequences thereof; These Gentlemen, I mean the Addressors, thus link't together in order to make good the allegations in that

address, combin'd to take such measures as should make all publick Affairs miscarry in the house of Representatives, and that soe avowedly that Mr Quarry thought fit to leave them in most things, and Mr Monipesson in some, without which I should never have been able to have Carried one thing in Councill as it ought.

The first three Acts which came up to the Councill they rejected upon the second reading; and cou'd by noe means be prevailed with to commit them tho' it was urged that paying so little respect to those Bills was but a bad step to reconciliation soe earnestly recommended to them, and that if there was anything in these Acts they disliked, they might either amend it in the Committee or Reject it at the third Reading.

These Acts were, An act for acknowledging and recording of Deeds &c

An Act for preventing prosecutions by informations.

An Act for ascertaining the Qualifications of Jurors as in the first, second and third pages of the Book A. Your Lordships will have the Acts at large.

The next was an Act for regulating the practice of the Law as in page 4 of the said Book A. All that was urg'd against this Act was that the Laws of England were sufficient for that matt^r. The next which came was an Act for Regulating and Appointing the Fees of the several officers and Practitioners of the Law &c as in page 5 of the said Book A.

With relation to this Act I must beg leave to acquaint Your Lordships that having in Her Majesty's Instruct^{ns} ample directions as to the manner of appointing and regulating Fees, and having at the same time Your Lordships opinion in Your remarks on the Lord Cornbury's Answer to the Assembly's Remonstrances, That noe Fee is lawfull unless it be warranted by Presumption or Enacted by the Legislature. I thought it the best Expedient to have it wav'd and lye on the Table, until

such time as I should receive Her Majesty's orders, or your Lordships directions therein, being pretty well assured that the Assembly would make noe great stir about it at that time.

The next was an act for the better settleing and regulating the offices of the Secretary and Clerk of the Supream Court, as in page 11 of the said Book A.

This was Justly rejected because of the Impossibility of keeping of the Records in both places and the great expense it would create upon a very small salary.

The next was an Act for preventing Corruption in the Courts of Justice, as in page 11 of the said Book A.

This Act was approved with great vehemence as implying that there had been such corruption, and having a Retrospection they were prest much to pay some Regard to this Act, because of the specious title, and that the preamble of the Act was only Declaratory, That all Laws for that purpose made in England were in force here, soe with adoe we got it committed, but upon its being Reported there happened such a Jumble as I believe never before was heard of at such a Board. The Chairman reported that the Committee had made several amendments. These amendments were their rejecting all the several Paragraphs except the first, upon Reading each Paragraph the Question was put whether this Board doe agree with the Committee in rejecting that Paragraph. It past in the Affirmative, soe upon the third reading when the Clerk was going on, after having read the First Paragraph, hee was stopt and told that that was all as the Bill was then amended, hee replyed that it was not, the Councill having receded from the amendments of the Committee, and had accordingly soe minuted it, This I could not help mentioning as a notorious falcifying of the Minutes of Councill, most of them stood up in his Justification, but being put in mind of their own argum^{ts} for rejecting each Paragraph, and the mistake imputed

to the Clerks misund'standing the words Recede from the Amendment for Rejecting the Paragraph, they acquiesced and the minutes were ratified; but upon the Question, if the Bill, as amended, do pass, Votes were Equal, upon which I put the Question If the Bill be rejected, It passed in the affirmative: Mr Hall in the first question having voted that it doe pass, and in the second that it be rejected.

Then came up the Act for Relieving the Creditors of persons that are or hereafter shall become Bankrupt in Great Britain, as in the 12th page of the said Book.

It is impossible to imagine with what indignation this Act was treated by that Majority, the mildest terms that it received were that the very name of it created horror, that it was evident ruine to that Province, and that Her Majesty was ill informed, when she gave such an Instruction. I told them that altho' I seldom troubled them with my Opinion, in passing of Acts in Councill, but was very willing to be concluded by theirs, but when Her Majesty's Instructions were called in question they must pardon me the freedom which I conceived to be my duty to use on such an occasion; I told them that I thought it needless to informe them, that these Instructions were not formed upon the private Insinuations of any person, but prepared with due deliberation by a Board com'issionated for that, and other, purposes, Read and considered by Her Majesty in Councill and then approved by her. That when, in conformity to such an Instruction, the Representatives have prepared an Act and sent it to them for their concurrence, their Rejecting of it as prejudiciall to the Interest of the Province could not well bear any other construction, then that Her Majesty, Her Privy Councill, Her Commissioners for Trade, & the Representative Body of the Province, were acting in opposition to the true interest of it, or that the Councill, or rather a certain number of them, under-

stood that matter better than all of them together, or, what I should be very unwilling to believe, that some of themselves were personally too nearly concerned in the consequences of passing such a Bill: I told them likewise that I had observed all along a very commendable caution in them, that all Acts here should be very wisely conformable to the Laws of England. I hop'd there was likewise some regard due to the Interest of England, which was evidently intended by this Act, especially when it was no wayes repugnant to that of this Province. All the effect this had upon them was that the Bill was committed, Reported with amendment and Rejected.

I have enlarged upon this Head that your Lordships may be the better inform'd of these Gentlem^{ns} Inclinations, and their methods of Proceeding in Councill, and because, as I am informed, they have been drawing up Reasons in their justificacion, the chief of which, with relation to this act, will be, as I suppose that it would shake their titles: many of them holding their lands from such Bankrupts that Comm^{ns} of Bankrupts may be surreptitiously obtained in England to their ruine, and that it would frighten People from settling in that Province, but they were frequently told that the House of Representatives meant this Act only as the ground work, leaving the superstructure to the Councill, who were more learned in the Laws, for all these inconveniencies mentioned were easily to be remedied by proper additions and amendments.

The Act to prevent commencing Actions under ten pounds in the Supream Court &^{cs} as in the 14th page of the said Book was Rejected after the same manner as the others

The Act for regulating Elections and ascertaining the Qualifications of the Representatives of this Province, Page 15: This Act tho' founded upon and conformable to an Instruction of Her Majesty for this

Purpose was Rejected, because repugnant to an Act past in Coll. Ingoldsby's time, which act as they themselves owne was made on purpose to exclude Doctor Johnston and Captain Farmer from being Elected; These Gentlemen at that time living by chance in the Province of New York, tho' their Estates, which are very valuable, lye in the Jerseys, and who have acted very zealously, and strenuously for her Majesty's service.

The next act that came up was an Act declaring all the printed Copies of all the Acts past in the Session of March and April 1708, and 1709 of the General Assembly of this Province, to be as effectual to all Intents and purposes as the Originals could or would be, were they duly and regularly in the Secretaries Office, Page 17. To let your Lordships into the meaning of this Act, I must begg your patience whilst I numerate sev^{ll} particulars necessary for that purpose. About the beginning of that session, I sent to the House of Representatives a message in the close of the 36th page of the Minutes of Assembly mark't B. and with it amongst other things Her Majesties letter in favour of the Lady Lovelace as in the 39th page of the said Book B. The Assembly observing from these words of Her Majesty, that we not only consent to their giving the Petitioner the sum they have voted of Eight hundred pounds, but approve &c That it being mentioned only as a vote she did not know that it was past into a Law, and consequently that these Laws past in the Lord Lovelace's time had not been sent home for her approbation.

They had recourse to the Secretaries office for the Originals which were not to be found there, the former Lieutenant Governor, Collonel Ingoldsby when questioned about these Acts answered that he knew nothing of them, and that he believed the Lady Lovelace had burnt them amongst other papers of her

Lords. Upon this I had the Secretary examined more particularly, who said the Lord Lovelace had carryed them to New York to have them printed, there being noe time to take copies, The Printer being examined declared that he had printed these Acts from the Originals, and that M^r Cockerell the Lord Lovelace's Secretary, who is also dead, had them from him in order to returne them to the Secretaries Office in the Jerseys; These Acts being thus lost, that due regard might be paid to Her Majesty's soe Just and charitable Intentions and desires, there could be noe other expedient thought of But that of this Act, because their being an Act past in Collonel Ingoldsby's administration, giving six hundred pounds to him of the Eight granted by the former Act to the Lord Lovelace; and sent home for Her Majesty's Approbation and that Act in favor of the Lord Lovelace never having come to her Royal hands, she was left noe choice, w^{ch} to approve or disapprove.

The Councill in their Committee added a clause in these words

And whereas in the Eighth year of Her Majesty's reign in the Session of the generall assembly for this Province, held at the towne of Burlington in the months of December and January 1709, An Act of Generall Assembly was past, entituled an Act for explaining and rendering more effectuall an Act for support of Her Majesty's government of Nova Caesarea or New Jersey for one year, the original whereof is lodged in the Secretaries office; Be it therefore enacted by the authority aforesaid that nothing in this Act contained shall be construed, deemed or taken to the prejudice of the said Act, either by avoiding it in the whole or in any part thereof, but the same shall remain in full force and virtue as if this Act had never been made.

It was urged against this Clause that seeing this Act

as it stood imputed noe more than that the Acts past in the Lord Lovelaces' time should be of the same force as if they had been duly in the Secretaries Office, unless it could be imagined that these Acts if they had been duly there could have made voyd or repealed those late ones in whole or in part, this amendment was to noe purpose, and had really noe meaning. The House of Representatives were apprehensive that this was intended by the Councill as a confirmation of that Act past in Collonel Ingoldsby's time, giving him the money granted by the former to the Lord Lovelace, or at least that the passing of this Clause might be constructed as if they were satisfied it should be soe but the only reasons they gave for not agreeing to it were, that they would never consent to a Clause soe foreigne to the Title and intent of the Bill, the Councill adhered to their amendment, and so the Bill was lost, I have however ventured to send Your Lordships these Acts of the Lord Lovelaces under the seal of the Province in the Bundle markt C having had them compared with such copies as remained in the hands of the then Clerk of the Assembly.

The next was an Act for releiving of persons aggrieved by an Act past in the third year of Her Majesty Queen Anne, intituled An Act for settling the Militia of this province. It is manifest that many persons have been agriev'd, under colours of this Act, by Distresses to a much greater value than the fynes which have either never been sold and remain in the hands of the distreiners or other Officers, or, if sold, the overplus not returned to the owners, as by the Act directed, however it was committed, reported without amendments & rejected.

The next in order was an Act for raising of money, for building and repairing Goals, and Court Houses &c as in the 20th page of the Book A. Your Lordships well know how earnestly Her Majesty has recom-

mended that matter, and everybody here sees the necessity of such a Law, for want of which many malefactors escape and the County is put to great charges to guard them; The Councill however made severall amendments to it, most of them only changing the places to others Judged by them more convenient; The Assembly agreed to most of them, but disagreed to one, which directed the building of a Goal in a corner of the County, in a place little frequented; The Councill insisted upon it, alleadging that the Undertakers, upon the credit of the former Act, had already begun that work, the Assembly offer'd for remedy that by paying that expence out of the money raised by this Act, but all to no purpose, soe this good Bill was lost.

The last was an Act for preventing the Waste of Timber and Pine trees, as in the 23th page of the said Book A, which tho' of noe great consequence had the same ffate with the others.

Having thus run over y^e Acts passed by the Assembly and Rejected by the Councill before I enter on Observations of the Acts by them past I must begg your Lordshipp's patience whilst I make a few on their conduct.

Finding all my efforts towards a Reconsiliation fruitless, at the beginning of the Sessions I thought of an expedient to allay heats and prevent a further rupture: I recommended to the cheif amongst them, that, in order to enter speedily on the publick affairs, there should be noe object^{ions} started on either side to any elections, notwithstanding of which the Councill's party in the Assembly, very unadvisedly, being but an inconsiderable number objected against the Elections of two of the chief members of the house, Immediately upon the Speaker's communicating my Speech to them, Upon which the other, called the Country party (I am sorry for the distinction) told me it was hard to tye

their hands, while the others attack'd them, soe they expell'd two members of the other party, one Major Sanford for having sign'd the Councill's Address against the Assembly, when he was of that Board, as he was at my arrival here, but begg'd to be excus'd that service being guilty of a very foule crime consenting, and contriving the escape of a ffellon, for his money which he had in his hands to a considerable value, and who was afterwards apprehended and hang'd, confessing at his death the whole matter, which was but too well known before.

This Majority in Councill which I am sorry I have occassion to mention soe often under that name, having boasted all along, that they and their Friends only were for supporting Government, I was surprised to heare that their few friends had voted in the Assembly in that matter for sums and times differing from the rest and one another, which made all their votes of noe use towards the passing of the Bill. But, what was more notorious, upon the passing the Militia Act, the Quakers, as their Custom is, left the House that the Bill might pass without their voting in it, But the Councill party there voting against it, the Votes fell to be equall, upon which one of the Quakers returned to the House, ask't how the Votes stood, and, being told they were equall, he said he knew the meaning of that very well and voted for it, by which the Bill was carryed.

Their method of proceeding in relation to Bills was at first rejecting them on the second Reading, and at last when prevailed with to commit them, they either reported them without amendments, and soe rejected them, or clogg'd them with such as made it impossible, or at least very improbable they should pass the other house as perticularly in the Bill declaring all Laws past in England against corruption in the Courts of Justice to be of force in that Province, they added a clause

enacting the Protestant Succession Rights of the Church &c This however they were ashamed of and the Councill disagreed with their Committee being told that that amendment was foreign to the title of the Bill, and that it would sound very oddly in England—that wee should imagine that the Protestant Succession wanted any further sanction here.

Much time was spent in Councill Cavilling and wrangling on matters fforeign to those before them, some time in indecent reflections on the memory and conduct of a person of honour deceased, frequently to that degree of heat that I was obliged much against my nature to exert the authority I am cloathed with, to keep them to order and rules, these disputes were chiefly managed and promoted by Collonel Cox, who as I am informed, is going to England. I hope he will and then your Lordships will better Judge how fit a person he is for a Council Board.

I protest to your Lordships in the sincerity of my heart I have noe ends to pursue but Her Majesty's service, That I have noe personall dislike to any man, That I have avoided party prejudices, and have acted by noe passions in any part of my administration, which emboldens me tell Your Lordships, that unless Her Majesty be pleased to remove from Her Councill in the Jersey's William Pinhorne, Daniel Cox, Peter Sonmans, and William Hall there are noe hopes of peace and quiet in that Province, Collonel Townley is since dead: Huddy a weak man led by the rest, M^r Mompesson Joyned with them in most matters, being son-in-law to M^r Pinhorne and tack'd to them by that fatal address, Col. Quarry, tho' unwarily link't to them by the same chain, has behaved himself most worthily for her Majesty's interest at this time.

The state of the Question I humbly conceive to be this, whether these Gentlemen shall be continued in their places, which are indeed a trouble and expence

to them, and for which they can have noe reall inclination, as matters stand, but to gratify their passions, and, by that means, the confusion here be perpetuated, or that they be removed and others put in their room to the entire satisfaction and perfect settlement of the minds of the people in that province, For let who will governe unless he doe it by will and pleasure, I'll be bold to affirme he can effect nothing to purpose, whilst these Gentlemen are in the Councill, and I can promise in the name of the people that nothing shall be wanting hereafter, as farr as their ability will goe which may be Judged necessary for Her Majesty's Service, if they are gratified in this particular.

For this purpose I send Your Lordships a list of the names of Eight persons for Her Majestie's Councill in the Jerseys, that out of them Your Lordships may choose a number to supply the place of such as you shall think good to remove

In the Western Division

John Hambleton [Hamilton] Gen^l Post Master.

Thomas Byerly Collector and Receiver Generall of
New York and a Proprietor of the Jerseys.

John Reading¹ Proprietor and Clerk to the Councill of
Proprietors



was among the early immigrants to West Jersey, arriving with his wife, Rebecca, from London, England, prior to 1683. He settled at Gloucester and was Clerk or Recorder of the County from 1683 to 1701, and subsequently held various offices of trust in the county, being highly respected by his fellow-citizens. His nomination for the Council of Governor Hunter was approved in April, 1713. He held the office until his death, in 1718, when he was succeeded in that and other positions by his son, John. Mr. Reading became the owner of a large tract of land on the New Jersey side of the Delaware, near where Lambertsville is now, and removed thither. His remains lay in the yard of the Buckingham Friends meeting, Bucks county, Penna.—Mickle's Gloucester, p. 43. Judge Clement.—Ed.

Robert Wheeler a very honest substantial Inhabitant
at Burlington.

In the Eastern Division

David Lyall' a Proprietor.

John Anderson

William Morris { Wealthy honest men.

Elisha Parker }

Your Lordships will also receive with this a Bundle mark D containing Representations, Petition and Affidavits against these Gentlemen of the Councill and the Secretary of the Province with some of their answers which to me appeared trifling and Evasive, and if Your Lordships take the trouble to read them I believe you will be of the same opinion As to the Secretary He say no more of him than this, that if there be any credit to be given to the universall report of mankind there lives not a more corrupt man upon the earth than he; I received an address of the Assembly markt E in the afore mentioned Bundle D of which I gave him a Copy, sometime after I received an Address from these gentlemen of the Councill in his favour as you will find it in the separate Minutes of the Councill Page 2nd to which I replied as in the third; towards the close of y^e Sessions hee gave mee his answer mark't ff in the Bundle D; There is no man thinks himself safe in his property whilst he is in his

David Lyall

was a goldsmith by trade of St. Martins-in-the-Field, London, a dependent, tradition says, of a wealthy family named Lorraine, with a near connection of which he formed an at-

tachment, that, being reciprocated, led to their seeking a new home in America, arriving about 1697. Although he became a proprietor of East Jersey soon after his arrival, he resided in New York for a few years, but finally took up his permanent abode in Perth Amboy. He was appointed one of the Council under the administration of Governor Burnet in 1719, and held it until 1733. He died in Monmouth county, where he then resided, in 1736, and his head stone is still standing (1881) in the cemetery at Topanamus. He was fifty-five years old.—Whitehead's Perth Amboy and Surrounding Country, p. 81.—Ed.

office, for few or none will venture Deeds in his hands to be Recorded; It is a place of honour, trust and emolument, and deserves the service of a better man.

You have also in the bundle D an abstract of a long Representation of the Assembly, relating to the State of the Province, it has been printed without my knowledge for which reason I seiz'd, in the Printing House, all the Copies, and suppress'd them: The Preamble containing a series of Reflections of past miscarriages and the administration of a person of Honour, heretofore in the Governm^t

The Acts passed by me that session are as followeth. An Act for the support of her Majestyes Government of New Jersey in the Bundle G as are all the others.

Your Lordships will observe that the supply is given in the manner it ought to be, but by their Reading, The Salaries of the respective Officers of the Government are but small, which I hope to have remedied next time.

An Act for amending and explaining An Act of Generall Assembly of this Province, entituled an Act for the Currency of Bills of Credit for £3000 The mistake mentioned in the Preamble of this Act, which obstructed the Currency of these Bills struck for the Expedition against Canada, are occasioned by the decease of one of the persons appointed to sign and issue these Bills, the two surviving persons not thinking themselves sufficiently authorized to doe it, chose one of the managers named in the Act for that Expedition to joyne with them in signing the said Bills, when, with much difficulty, wee had got this Bill committed, which was only intended to make good the publick credit. M^r Sonmans said in the Committee that they might enact what they pleased, noe man should force him to take y^m in payment; being tax'd with this Expression in Councill hee answered that noe man could force him to take silver money in payment, if he had a mind to

forgive the Debt, this inclined the Councill, some of them having of these Bills in their hands, to add a clause declaring the tender and refusal of such bills legal payment of all debts for the value. The Assembly disagreed to this amendment. The Councill was told that if they had adhered the Assembly would upon a Conference agree, being since better Informed, but for that very reason they departed from it, which I am afraid will prove a very great hindrance to the currency of these Bills.

An Act for reviving the Militia Act of this Province.

Your Lordships will easily observe the mistake committed in the title of y^e Act, Reviving an Act which was not to expire 'till about a month after, soe there was an amendment offered in Councill to the title. These gentlemen said it was irregular to amend the title of an Act. It was replied it might be soe but they did not always think soe, for but a few days before they had made an amendment to the title of an Act, which was agreed to by the Assembly, but they could not be persuaded to doe it, soe I was forced to take it with this blunder or loose it.

An Act for reviving and continuing the Courts of Common Pleas in the County of Gloucester.

This is an Act of course which Your Lordships have had frequently before that Court, being often discontinued for want of Justices.

An Act for enabling the Owners of the Meadows and Marshes adjoining to, and on both sides of the Creek, that surrounds the Islands of Burlington to stop out the tide from overflowing them.

This is an Act for the benefit of the Owners, and to noe mans prejudice.

I am commanded by Your Lordships in Your last to me to send you my observations on the Acts past in New Jersey, during Coll. Ingoldsby's Administration.

The first is an Act for explaining and rendring more

effectual an Act for support of Her Majesty's Government of Nova Cæsarea.

This Act instead of explaining the other or making it more effectually indeed destroys it for it gives six hundred pounds of the Eight grant^d by the former Act to the Lord Lovelace, to the Lienten^t Governer Collonel Ingoldsby, who was already provided with a sallary by that Act. In the former Act the money is directed to be issued by Warrant signed by John Lord Lovelace in Councill, where it is indeed defective, had they explained it by adding the words or the Com'ander in Chief for the time being, the title and Act had been of a peece, for this was most certainly the meaning of that act whatsoever the Letter may import, and should Her Majesty approve the form^r, as I am apt to believe she will, and disapprove the latter, there appears to be a necessity still of an Explanatory Act, for the reasons above mentioned, tho' I am afraid to little purpose, for the behoof of that Lord's family, Collonel Ingoldsby not being able to repay what he has had, and I believe others have had their share of that sune, being led to that belief by a story which I must entertain your Lordships withall, and which I had from some of the gentlemen concerned.

Whilst that Act of Collonel Ingoldsby was in deliberation before the Councill, they thought that since such a sune was given to him for support of Governm^t they had a just title to a share of it, so before they would agree to pass the Act they were promised each a piece of plate. In the last Section whilst the Councill had under consideration the Bill declaring the printed cotypes of the Acts passed in the Lord Lovelaces time of the same validity as if the originals had been duely in the Secretary's Office. These gentlemen thought it a proper season to put Collonel Ingoldsby in mind of their Tankerds. Hee at first huff'd and called names, soe that at that time the bill had like to

have passed, but afterwards they came to a better understanding, and our Bill was lost. In a word my opinion is that the passing of this Act will not only be an encouragement and Precedent for appropriations for the future, but lead them into a way of shifting and altering their owne appropriations at pleasure.

The second is an Act for ascertaining the place of the sitting of the Representatives to meet in general Assembly.

This Act is possitively against Her Majesties Instructions, directing that the Sessions should be alternately at Amboy and Burlington founded as I have been told upon the Concessions of the Crown at the surrender of the Government.

I have formerly given Your Lordshipps my opinion on this matter, and acquainted you with the expedient I have found to compromise it, but if there be a necessity of another Assembly before I receive any directions from Your Lordships in that matter, I believe I shall call them to Amboy. This act being as I conceive, of an extraordinary nature, and contrary to Her Majesty's Instructions and consequently of no fforce untill approved by her, and may goe a great way in making the breach wider, between the two Divisions.

The third is an Act for building and repairing Goale Houses.

This Act gives a power to a few to assess and leavy money at discretion. There is indeed a clause which makes them accountable, to the Justices and Freeholders when called thereunto, but noe penalty appointed: By virtue of this Act they have designed a Court House in the remotest Corner of the County of Monmouth, which will be a great tax upon the people of that County, and was meer party pique.

The fourth is an Act for the better qualifying Representatives.

This was levelled particularly against Captaine

ffarmer and Doctor Johnston men of the best Estates and ability in this Province, and who have been very active and usefull in Her Majesty's Affairs and may deprive us of more such, and is contrary to that Constitution of Assembly appointed by Her Majesty upon the surrender & confirmed by all her subsequent Instructions, obliging the elected to an actual residence, whereas the Instruction mentions, noe other qualification but an Estate to a certain value within the Division.

The fifth is an Act for dividing and ascertaining the Boundaries of all the Counties in this Province. The inhabitants generelly complaine the Countys are not equally and Justly divided, perticularly the Inhabitants of Middlesex, are obliged to travell twenty miles through the County of Somersett to repair High wayes, which ought properly to be the charges of the Countyes of Somersett and Monmouth, that part of the County of Middlesex being a narrow slip of Land between the Boundaries of those two Countyes, And all publick Roads are repaired with greater ease and less charge by the neighborhood.

The sixth is an Act for ascertaining the Representation fees.

In this Act by mistake or designe of the Clerk, the words *pro diem* are omitted, soe that they were entituled to noe more than five Shillings in the whole for their service, but that being remedied in the present Act, for support of Government, that Act is of noe use.

The seventh is an act for regulating ffences.

I have heard the men of Estates and such as are possessed of large Tracts of Land, complaine much of this Act, as putting them upon a Levell with those who had little or none at all nay rather in a worse condition because having larger tracts of land they have greater numbers of cattle, but cannot reap the benefit of their own pastures, their Neighbors Cattle having

grazed them before. And by this Act they can Impound noe cattle, but such as breaks into their Fences. Whereas in many other cases there is a necessity of impounding those that trespass upon their other Lands.

The eighth is an Act for amending the Act for preventing Swine running at large.

The Act mentioned to be amended was thought a very good Act for y^e Country, for Swine running at large is very pernicious to their corne, pasture, meadow and wood land, and occasions a great consumption of timber in making ffences to guard against them, soe that noe penalty can be too great for restraining them, neither will the value of the swine pay the damages those creatures commonly doe of which itself they are debarred by this Act, and have noe Recompence left but the pleasure of killing of them, with the trouble and charge of finding out the owner, which perhaps lives at ten or a dozen miles distance.

The ninth is an Act for regulating of Stone horses or Stallions that run at large.

Some complaine of it, but I can see noe harme in it.

The tenth is an Act for reviving and continuing the Courts of Common Pleas in the County of Gloucester.

Your Lordships have already heard the meaning of that Act.

These are the objections against these Acts, which occur to me, your Lordships are the best Judges if they are of validity enough for a Repeal.

Before I leave the affaires of the Jerseys I must begg leave to acquaint your Lordships with some few things necessary for your notice.

As the Supream Court is now constituted all the Conncill are Judges Assistants by which means the benefit of appeals may be lost, for it may soe fall out that soe many of the Counsellors may be upon the Bench, as not to leave a quorum for the Conncill in case of appeale, seeing none that have any voice in the

Judgement by the Instructions are permitted to vote in the appeals. I thought it necessary to acquaint your Lordships with this matter beforehand, because I beleive I shall be under a necessity to alter the Constitution of that Court, by ascertaining the number of the Assistants,

In both Provinces I have been pelted with Petitions for a Court of Chancery, And I have been made acquainted with some Cases, which very much require such a Court, there being no reliefe at common Law, particularly one of M^r Provost, one of the Councill of New York who has been close prisoner almost ever since my arrival here having unwarily confess'd Judgment for four thousand pounds, tho' the Reall Debt is evidently not above four hundred. I had ordered the Committee of both Councils to forme a scheme for such a Court but to noe purpose; the trust of the Seales, they say, constitute a Chancellor and unless the Governor can part with the Seals there can be noe Chancellor but himself. I have already more business than I can attend to, besides I am very ignorant in Law matters, having never in my life been concerned in any one Suite, Soe I earnestly begg your Lordships directions, as to that Court.

M^r Mompesson finding himself obnoxious to the generality of the People of that Province desired to be excused serving any longer in the station of Chief Justice, soe I have supplied that place with one M^r David Jamison, who acted formerly here as Secretary in this Province with great applause, and is a Man of knowledge and Integrity.

* * * * *

I am with the deepest regard My Lords

Your Lordships most humble

& most obed^t serv^t

New York 7th May 1711

Ro: HUNTER

Several Addresses and Depositions against Jeremiah Basse, Secretary of New Jersey¹ referred to in the foregoing communication of Gov. Hunter.

[From P. R. O. B. T., New Jersey, Vol. I, C⁹⁹ 100.]

To his Excell^{cy} Rob^t Hunter Esq^r Cap^t Gen^l Gov^r & Com^{and}^r in Chiefe of Her Maj^{ty}s Provinces of New Jersey New York and y^e Territories depending thereon in America and Vice Admiral of y^e same:

The humble Address of y^e house of Representatives of this her Maj^{ty}s Province of New Jersey.

May it Please your Excell^{cy}

Were not y^e hon^r of her Maj^{ty}s Governm^t & y^e com^{on} safety of her subjects in this Province so deeply concern'd we should decline addressing yo^r Ex^{cy} ag^t a person whom our most Gracious Sovereign has honored with her Com^{ission} for Sec^{ry} of this Province.

He has from his first coming into y^e same in all his sev^l Stac^{ons} behaved himself so very Ill y^t his evidence with sev^l Jurys has gained as little creditt as his Com^{on} Conversation doth with y^e generality of Mankind so y^t his name Bass and a Lye are Synonymous Terms.

Indictm^{ts} ag^t him by a Grand Jury for some of y^r foulest Crimes puts no Stop to y^e Carrier of his Unjust & indirect Practices being supported by those Gent. whose Representac^{ons} in favour of him we hope will gain no more Credict with yo^r Ex^{cy} than we believe

¹ For Notice of Jeremiah Basse see Vol. II, p. 91.

their foul Address ag^t y^e Representative Body of this Province has done with our most good & gracious Sov^raign.

Wee do not pretend to enter into a detail of all M^r Bass's Crimes but beg leave to Lay before yo^r Ex^{cy} y^e Proofs of sev^l of his Wick'd & unjust Practices some of w^{ch} were in y^e Execution of his office & appear very evidently To this House. One of y^e Affidavits herewith delivered plainly shew his Intentions were to oppose her Maj^{ty}s service and prevent as much as in him lay y^e raising a Support for her Governm^t here by Reflecting on & endeavouring to prevent y^e Choice of those who were obedient to her wise & Just Commands relating to y^e Canada Expedit^on & have acquitted themselves withall Fidelity in serving y^e true Interest of y^e Country they represent.

It was a great Injustice and Malversation in his office by Base and Wick'd Practices to turn so many people out of their Possessions or oblige them to comply with y^e heaviest Terms their antagonist would Impose as by y^e case of sev^l persons in Maidenhead & hopewell under his own hand doth plainly appear.

Wee with all submission humbly begg Leave to acquaint yo^r Ex^{cy} That we can't think y^e Province safe so long as he Continues to Execute ye sev^l offices he now enjoys or y^t he ought to be trusted with y^e Public Records & other Instrument^s It being a matter of so great Importance to prevent y^e Ruin of many for y^e futher w^{ch} Lays us y^e Representative Body of this Province under a Necessity of applying to yo^r Ex^{cy} & in most humble manner earnestly pray y^t yo^r Ex^{cy} would be pleased not only to deprive him of his authority till her Maj^{ty}s pleasure shall be signify'd in y^t respect but y^t you also will lay an acco. of y^e Crimes of y^t Person before her May^{ty}e or Ministers at home as you shall think fitt w^{ch} we shall esteem & gratefully acknowledge amongst y^e many Acts of Justice we have

received & do expect from yo^r Ex^{cy}'s wise Administrac'on y^t y^e Province for y^e futher may be free'd from such uncom'on Injustice & y^e Fears & Terrors y^e People in Gen^l labour und^r be removed, who can'ot think themselves safe while he either is or is like to be continued in offices of so great Trust.

By ord^r of the House of
Representatives

WILL: BRADFORD, Cl.

Burlington Feb. 6. 1710.

*The humble Address of ye Representatives of Her
Majestys Province of New Jersey.*

Most humbly sheweth

That some time since we ordered some of our Members to Inspect y^e Journals of y^e Council to Inform us how far y^e Gent. of y^e Council had proceeded in relation to y^e passing of some bills not long before sent by this House to them for their Concurrence. Upon applicac'on to M^r Bass y^e Clerk of y^e Council such an Inspecc'on was denyed us pretending he had orders from y^e Council to warr^t his Refusal than which nothing was more false; for no such order as we can learn was ever given since it was our happyness to be und^r yo^r Ex^{cy}'s administrac'on, nor do we believe ever before, or if it was could not be in force now.

We have now ordered him to lay before this House all y^e acco^{ts} & Papers relateing to y^e acco^{ts} concerning y^e Expedit'ion ag^t Canada w^{ch} he has also refused to do, saying y^e Coun^l has ordered him not to delivere them to y^e House; We beleive this pretence is most false, & y^t he had no such ord^r, & if he had we desire to know why y^e Gent. of y^e Councill assume to themselves, such a Power, for y^e Papers we required were

our Papers and should have been long since delivered to us.

We think ourselves highly affronted by this procedure & humbly lay it before your Excellency Praying that if M^r Bass has asserted a falsehood, as we believe he has he may meet with an Exemplary Punishm^t for its not to be born that y^e Representatives Body should be Publickly Nosed by a person whose sev^l Crimes & Misdemeanours deserve a Publick Censure and ag^t whom we fear we shall be und^r necessity to proceed by way of Impeachment.

By order of the House of
Representatives.
WILL BRADFORD Cl.

Burlington ye 11th Jan^y 1710.

[Affidavits were appended from Richard Robins, as to disparaging terms used by Basse against the members from Salem county; and from Isaac Sharp, John Barclay, Thomas Gordon and George Willocks in relation to the prejudicial course pursued by Basse in sundry legal cases in which they were interested. It was thought unnecessary to print them, as they merely substantiated the statements made in the foregoing addresses.—ED.]

Several Papers complaining of Maladministration in the Courts of Justice in New Jersey, and of Judge Pinhorn's refusing Writs of Habeas Corpus &c^a referred to in Col: Hunters Letter of 7 May 1711.

THOMAS FARMER aged about thirty Six years being Solemnly sworn upon y^e holy Evangelists of Almighty God doth depose that on, or about the twelfth of May Anno Dm. 1708, Thomas Gordon Esq^t then Speaker of

y^e House of Representatives of Her Maj^{ty}s Province of New Jersey being arrested by Hugh Huddy Esq^e then Sheriffe of y^e County of Burlington after y^e Assembly was ajourned, A little time after M^r Gordon did desire this Depon^t to go to Judge Pinhorn and make Apply-cac'on on behalfe of said M^r Gordon for an habeas Corpus to be admitted to baile, and accordingly this Depon^t did apply to William Pinhorn Esq^e then Second Judge of y^e Supream Court of said Province, that at y^e desire of M^r Gordon he would please grant him an habeas Corpus to be brought before him in Ord^r to be Admitted to baile. To w^{ch} Judge Pinhorne answered, that he must ap'ly by his Coun^{ll} at Law, this Depon^t replied, he believed he might do it by his freind, and used sev^{ll} arguments to that Effect but could not pre-vaile, with w^{ch} this Depon^t Acquainted M^r Gordon who Employed John Pinhorn Attorney at Law and Next Morning was Admitted to baile and further saith not.

Theo. Harmar

Jurat Decimo Die Feb^{ry}

Anno Dni 1710 Coramme

ROB^t WHEELER Justice.

The Case of Thomas Gordon Esq^r

The case of Thomas Gordon N^o 5

About the year 1703, Thomas Gordon Esq^r was by the Proprietors of y^e Eastern Division of New Jersey Commissionated their Register or Recorder, on y^e 25th

of August 1705. My Lord Cornbury & his Council made an Order that s^d Thomas Gordon then y^e Proprietors Record^r should deliver all y^e Public Bookes Records papers &c. In his hands to Jeremiah Bass Secretary of said Province, with w^{ch} ord^r said M^r Bass served M^r Gordon at Shrewsberie In Monmouth County & required him to Comply therewith to w^{ch} M^r Gordon answered y^e Records &c. were at Amboy, so could give no positive answer till he came there, on which M^r Gordon, was by Cap^t Andrew Bown, then one of her Maj^{ty}s Council Com^{it}ted to y^e Sheriffs Custody, where he remained till he gave £2,000, Baile to answer y^e Gov^r & Council at Amboy y^e 4th of Octo^r following, the Assembly being then to meet there, at w^{ch} time M^r Gordon was very much threatned & abused by My Lord Cornbury for refusing to deliver said Records According to said Order of Council to w^{ch} M^r Gordon Answered he could not with honesty & Justice deliver them, till y^e Proprietors had notice. And after ye Proprietors had been severall times heard before y^e Gov^r & Council they were at Last delivered by Ord^r of y^e Council to M^r Bass.

At the Supreame Court at Burlington. In May 1707. M^r Gordon was suspended from practising as an Attorney at Law without any Cause Assigned.

In February 1706 M^r Gordon being Informed that warrants were Issued out for Apprehending of him, he writt to M^r Shipheard who was then A Justice of y^e Peace, that if he would admitt him to baile he would give baile for what s^ume he Pleased to answer every thing that could or should be Objected against him, to w^{ch} M^r Shipheard sent no answer till February 1707 And then he sent him notice, that he had procured Liberty to Admitt him to baile, & Accordingly he gave baile Im^ediately and at May Court 1708, at Burlington he Appeared & was discharged by Proclamation noth^g Appearing Against him, and within three days

after y^e Court, the Assembly Satt at Burlington and M^r Gordon was Chosen Speaker In y^e Roome of M^r Jinnens who was then sick, and within three Days after that y^e Assembly was Ajourned & About halfe an houre after y^e Ajournemet of it M^r Gordon was againe comitted by My Lords own warrant upon y^e same pretence for w^{ch} he had been discharged by the Supream Court but Six days before, and was kept by y^e Sherriff fifteene houres In custody & when he Applied by his ffrinds Thomas Farmer Esq^r to Judge Pinhorne for A Habeas Corpus, he was denyed till he should apply by his Councill at Law, on w^{ch} M^r Gordon was forced to Imploy Cap^t Pinhorne y^e Judges son (there being no other Attornies then in Towne) to procure him his Habeas Corpus, for which he paid thirtie Shillings notwithstanding he Drawed y^e Writs himselfe, and was Admitted to baile and Appeared at y^e next Supream Court at Amboy In November 1708 where he was againe discharged by Proclamation nothing Appearing against him Continued still suspended to y^e great Loss & ruin of himselfe and numerous family (having a wife & seaven small children & no other way to maintain them) untill y^e happy arrival of My Lord Lovelace In December 1708 who Admitted him Againe to practise y^e Law as formerly.



Thomas Gordon.

* For a Notice of Mr. Gordon. See Vol. II., p. 105. Ed.

Letter from Governor Hunter of New Jersey to Secretary S^t Johns—recommending John Kiel for Surveyor General of New Jersey.

[From *America and West Indies*, Vol. 6.]

New York 7th May 1711.

S^r

Having acquainted my Lord Dartmouth with the unhappy state of her Maj^{ty}'s Governm^t here, I will not trouble you with particulars only beg your Concurrence towards a Remedy.

If I am a Sufferer I have that to Comfort me that I suffer in and for the Service of the Best of all Princes who has already relieved me from greater difficulties these.

I gave you the trouble of a line by John Kiel. I recommended him to you for an Imployment which is indeed an handsom one, but of fatigue and labour, that was the Secretarys Office of the Jerseys. I understood afterwards from himself that he had a mind to ask for another that of Surveyor Gen^l of this division. Had I known when he went over what I now know, I would have made it my earnest request to put him into that office, for M^r Birchfield the Gentleman who was put into that office when I had the Honour of the Government has taken it into his head which I'm afraid is not very sound to make Every body and everything uneasy here as I have at large informed Commissioners of the Customs. No man can better Execute that office than John Kiel. I need not tell you so, but being encouraged by the generous and kind reception I have ever had from you, I venture to recommend my friends with myself to your Patronage.

I shall endeavour in the Post I have the honor to possess to acquit myself to the best of my Capacity and

power for her Maj^{ty}'s Service and Interests, and then I shall have a better title 'tis impossible to have a better inclination to be accounted

S^r

Your most Faithfull and
Most Humble Servant

RO: HUNTER.

New York

May 7th 1711.

The R^t Hono^{ble} M^r Sec^{ry} S^t Johns

Address of the Assembly of New Jersey to Governor Hunter, against M^r Hall, one of the Councill of New Jersey, Judge of the Inferior Court of Common Pleas, &c^d, with M^r Hall's Answer. [Enclosed in the foregoing letter.]

[From P. R. O. B. T. New Jersey, Vol. I, C 98.]

TO HIS EXCELLENCY Rob^t Hunter Esq^r Cap^t
Generall & Governour in Cheife of y^e
Provinces of New Jersey and New York
&c.

The Humble Address of y^e Gen^l Assembly of
said Province of New Jersey.

Humbly Sheweth,

THAT we y^e Representatives of this her Maj^{ty}'s Colony of New Jersey find our selves under a Necessity of Addressing your Excellency Against William Hall Esq^r one of her Maj^{ty}'s Council & Judge of y^e Inferior Court of Comon Pleas for y^e County of Salem, who has Appeared to this house to be guilty of High Crimes & Misdemeanures. w^{ch} need not be aggravated by us, they appearing so plain that we can't think Her Maj^{ty}'s Subjects safe In either their Liberties or properties

while he is continued In power to Oppress them at Pleasure.

WE therefore herewith lay before your Excellency y^e Matters of facts with y^e prooff's & Humbly pray yo^r Excell^{cy} to remove him from all places of profit and Trust within this Province.

By order of the House

WILL: BRADFORD Cl.

ARTICLES of y^e sev^l Crimes & Misdemeanurs Exhibitted by y^e Representatives of her Maj^{ty}s Colony of New Jersey mett in Gen^l Assembly ag^t William Hall Esq^r one of her Maj^{ty}s Councill, and Judge of y^e Inferior Court of Com'on Pleas of y^e County of Salem.

THAT William Hall afores^d hath Extorted & taken sev^l unjust & Unwarrantable fees at sev^l times from sev^l persons prosecuted before y^e Court of Gen^l Quarter Sessions, and the Inferior Court of Com'on Pleas for s^d County of Salem.

THAT one Thomas Barlett who by Virtue of A Hue & Cry for Theft was brought before s^d Hall, And by him & others threatned with being prosecuted for Felony unless he would bind himselfe by Indenture to Serve one Simion Morgan for three yeares, the feare of w^{ch} prosecuc'on made s^d Barlett Comply & by Indenture bind himselfe to serve y^{es}^d Morgan, on w^{ch} y^{es}^d Barlett was by Hall discharged out of Custody.

THAT one Francis Godbolt & Ann his wife were also by said Hue & Cry brought before said Hall & William Dare an other of her Maj^{ties} Justices of y^e peace, The s^d Godbolt was threatned by them, that there would be Burglary sworn ag^t them, and through feare thereof s^d Godbolt consented to bind himselfe by Indenture

(but not his wife) with w^{ch} s^d Justices not being satisfied, y^e s^d Godbolt & Ann his wife, were by them (upon proofes & confession of their Theft) committed to y^e Goal of y^e said County by y^e s^d M^r Hall & Cap^t Dare untill delivered by due course of Law where they remained for sev^{ll} days untill they were admitted to Baile by M^r Hall onely, and y^e prosecutor Morgan became their surety, who some time after delivered them up to s^d Hall, for that he would be no longer bound for them, whereupon y^e s^d Hall, discharged them without any further prosecution.

THAT sometime afterward s^d Godbolt was by s^d Hall sold aboard of a New England Sloop & transported out of y^e Province the woman at y^e same time continuing servant to said Hall.

THAT one John Reeve having lost foure Barrels of flower, Said Hall took them up adrift In Delaware River near Gloucester, and sold y^e same In Morris River, and denyed y^e haveing or knowing of it both before & after he had sold it, but at Last y^e man coming to y^e knowledge of his fflower said Hall paid him for it.

By Order of the House

WILL BRADFORD Cl.

[Accompanying the foregoing are the following documents:

—Commitment of Francis Godbolt and his wife to Salem county Jail dated February 10th, 1709-10.

—Memorandum of Recognizance of Francis Godbolt Anne Godbolt and Simon Morgan in 40£ each, for the appearance Anne Godbolt at the next Court of Quarter Sessions for Salem County, dated February 20th 1709-10

—Memorandum of Recognizance of Francis Godbolt and Simon Morgan in 40£ each, for the appearance of the former at the next Court of Quarter Sessions, dated February 20th, 1709-10.

—Memorandum of the surrender of Godbolt and of Morgans discharge in consequence, dated March 13th 1709–10.]

THE ANSWER OF W^m HALL ESQ^R to y^e Articles of y^e sev^l Crimes & Misdeameanors Exhibitted by the Representatives of her Maj^{ties} Colony of New Jersey met in Gen^l Assembly ag^t W^m Hall Esq^r one of her Maj^{ties} Councill & Judge of y^e Inferior Court of Com'on pleas of y^e County of Salem

TO HIS EXCELL^{cy} ROB^t HUNTER ESQ^R Cap^t Gen^l Gov^r in Cheife in & over y^e Provinces of New Jersey New York & all y^e Territories & Tracts of Land depending thereon in America & Vice Adm^l of y^e Same &c

May it Please yo^r Excell^{cy}

The first Article Charges me with Extorting and taking sev^l & unwarrantable fees at sev^l times from sev^l persons prosecuted before y^e Court of Gen^l Quarter Sessions and y^e Inferior Court of Com'on pleas for said County of Salem, and there are three bills of Cost taxed by me produced as Evidences to prove that Charge. To w^{ch} I answer; that I am not yett Sensible of any mistake much less Extorcon in y^e first, but can very well Justify it by y^e Ordinances for y^e Regulac'on of fees. In y^e two others if there be any mistake in y^e fees I have taxed for myselfe it is but five Shillings in each one of w^{ch} I restored as soon as I was made sensible of my error. And by the other, tho' I might be mistaken in y^e taxac'on, yet no person is wronged, since I have not yet rec^ded one farthing of y^e whole, and if any had thought himselfe aggrieved,

the proper remedy would have been to have made his Applicac'on to y^e Court, to have had y^e same reviewed & Settled by y^e Court.

The whole Second Article appears a Confused dream, there never haveing been anything like what is inserted in The Charge, w^{ch} is wholly false, incoherent & inconsistant with itself it concludes with my Discharging Bartlett out of Custody. Whereas he was never Com'itted, And an unintelligible Jumble is made of Indentures, of felony, and threats, Whereas y^e truth of y^e matter is, that y^e s^d Bartlett was indebted to y^e s^d Morgan in a considerable sum' for money Lent by y^e s^d Morgan to y^e s^d Bartlett to Release him out of Goal at New Castle, and I am greatly injur'd by y^e false insinuation that by threats of Prosecuting him for felony induced him to indent with Morgan, whereas y^e Debt paid for y^e s^d Bartlett being to y^e best of my Remembrance 12 or 15 pounds was the ground and foundation of his becoming bound to y^e s^d Morgan. That there was a Hue & Cry granted against said Bartlett for theft upon y^e Complaint of Morgan is true but when he was brought before me upon y^e same Morgan declar'd and it appeared that he had nothing to charge him with, for what was found belonging to Morgan was in y^e bundle of Godbolt's wife: And was Valued at 10^d P.

Morgan who Claim'd y^e same being (as it was Termed in y^e Accusation) a Childs Cap.

As to y^e Attestation of Benjⁿ Wright upon w^{ch} this Article seems to be grounded, its Untrue in sev^{al} parts: he is first pleased to put me under a Double name Will^m Hall, otherwise Call'd George Trenchard sen^r whereas I deny that I ever went by any other name nor was ever called otherwise then W^m Hall, But by this attestac'on.

SECONDLY y^e s^d Wright Affirms that Morgan complained that Barlett & Francis Godbolt two Persons that were undertakers with him to clear a peice of

ground for me had got all their pay, and y^e work not half compleated were run away. Whereas y^e s^d Bartlett never undertook with y^e s^d Morgan & Godbolt to Cleare any Ground for me as Appeares by y^e Articles themselves.

AND y^e insinuation in y^e s^d Attestac'on that y^e Hue & Cry was granted after y^e s^d person for that Reason is utterly false.

A FURTHER false insinuation is that a bagg or bundle w^{ch} they had was open'd & Search'd & there was a Childs Cap own'd by Morgaus wife, Whereas y^e same if with Reference to Barlett is untrue for he had nothing to do with y^e bundle.

THAT suggestion that I put y^e Question to Bartlett that if he would Indent with Simon Morgan to serve him three years he should not be prosecuted, and that he complid Accordingly, is Intirely false, I never put any such Question to Barlett, and y^e Compliance of Bartlett to Morgan, to becom his Servant, was att New Castle upon y^e Score of Debt, which Morgan paid for him to release him out of Goal there, as has been before intimated to yo^r Excellency, and before I had any Opportunity of takeing any Examination.

THE THIRD Article contains y^e same false insinuations with y^e former; as if Godbolt consented to bind himselfe by Indentures to Morgan to Escape a prosecution for Burglary Whereas there was no such thing ever mentioned: but the Reason of his being bound by Indenture to Morgan was for Debt owing from Godbolt to Morgan: and y^e close of y^e Article that I discharged him without any further prosecution is utterly false for he still Continues bound over upon his own Recognizance.

THE Fourth Article The Matter was truly Thus. The said Godbolt being in Debted to me y^e sum^r of six pounds at y^e request of y^e s^d Godbolt I accepted of y^e payment of six pounds from one wells in full satisfac-

tion & Discharge of an Indenture from y^es^d Godbolt Assigned over to me from Morgan for y^e terme of two years service: And y^e s^d Godbolt voluntarily entered into New Termes & Covenants with y^e s^d Wells for six months, the woman continueing some time a Serv^t to me untill she had wrought out a farther debt of about 40^s, was then discharged, has been at her own disposal ever since, And still Continues at Salem.

As to y^e unworthy reflections Endeavour'd to be thrown Upon me by y^e Fifth Article, that matter has been heard before y^e Hon^{ble} Coll. Quarry Judge of y^e Admiralty who I doubt not but will Vindicate my Reputation therein, and as to some Expressions in Reeves his affidavitt. think it a full Justification of my Selfe to say that I know not what Answer was made him when he called aboard my Sloop, as he said he did, haveing neither heard him call'd, much less given any answer, being fast a Sleep in y^e Cabbin when this pretended fact happened. The flower was taken up by Thomas Jacobs Master of my sloop, who Reeves himself in his deposition ownes to have made y^e answer from my Sloop, and accordingly y^e same deposition declares, that y^e s^d Jacob gave security for three pounds w^{ch} was afterwards paid for y^e s^d flower, and y^e other three pound Tenn paid by me was also for y^e Remainder of s^d flower sold by y^e s^d Jacobbs.

As to y^e Address of y^e Gen^l Assembly it is very wonderfull to find this Expression That they should find themselves under a Necessity of Addressing your Excellency upon such false grounds and trifling Accasions, And without referring y^e matter to a Com^{tee} & having it there inquir'd into and Reported, as y^e Method of proceeding in parliam^t require or soe much as hearing what I had to say in my Justifycac'on to form so hasty a Judgem^t upon me as to Declare that it has appear'd to that house that I was guilty of high Crimes & Misdemeanors w^{ch} need not be aggravated by

them, they appearing soe plain that they cannot think her Maj^{ties} Subjects safe either in their libertys or properties whilst I am continu'd in power to oppress them at pleasure.

This Sort of Language from an Assembly, who ought to be as Tender & tenacious of y^e Lyberties & properties of her Maj^{ties} Subjects as of their lives, must need seem very surprizing to yo^r Ex^{cy} can there be a greater violation of those inestimable Jewells, Liberty & property then to be Arain^{ed} try'd condemned, and execuc'on pray'd without being heard, the Evidence confronted or y^e Accusac'on Legally prov'd? if this be allowable In what do we differ from y^e most Arbitrary Governm^t or what becomes of our Justly boasted privilege, of Jurys both Grand & petty, and that no Evidence shall be allow'd but what is upon oath deliver'd in Court, the Accused being present that he may make what Objections he finds necessary thereunto & ask even y^e Evidences what questions he shall think necessary for his Vindication.

THE PARLIAM^t in England, may it Please yo^r Ex^{cell^{cy}}, proceed not soe, but if they find themselves obliged to take notice of Grivences neither Judge, much less Condemn, but pray that y^e Attorney Gen^{ll} may be Com'anded to prosecute, that y^e Accused, may have all y^e Liberty y^e Laws allows, and not be sentenced untill Legally convicted. It must be left to yo^r Ex^{cy}s prudence how safe either y^e Libertys or properties of her Maj^{ties} Subjects are under such procedure.

YOUR Excellency will please to observe from what I have been obliged to trouble you with, how severaly but yet unjustly y^e s^d Articles load me. And that y^e pretended Crimes & Misdemeanours, even when they are Endeavoured to be forc'd up to y^e hight, if they were as true, as they are false, amount to noe more than y^e Value of Ten Pence, a sum so mean that it

ought to be below y^e Observation of y^e General Assembly of a whole Province & not worthy to build an Address to yo^r Excellency upon.

WHEREFORE I have no Doubt but your Excell^y will be fully satisfyed of my Innocency. acquit me of any imputac'on of Oppression the s^d Articles & Address would Cast upon me, disregard y^e prayer thereof and thereby discourage such irregular, unwarrantable, & unpresideded proceedings, w^{ch} Can only tend to discourage Officers of y^e Governm^t from doeing their duty must destroy y^e Peace of our County & a gap to innumerable inconveniences that must necessarily follow from such sort of Proceedings.

I am

Your Excellency Most Humble
and Most Obedient Servant

W^m HALL.

Memorial from the Assembly of New Jersey to Governor Hunter—relating to the perversions of Justice in the Courts of Law, enclosed in foregoing letter.

[From P. R. O. B. T., New Jersey, Vol. I. C. 99.]

A Memoriall from y^e House of Representatives of y^e Province of New Jersey, sitting at Burlington, To his Excellency The Governour &c: Setting forth some few Instances how Justice has been perverted In the Court of Law, and divers guilty persons Escaped with Impunity.

May it Please yo^r Excellency

ATT the Supreame Court November Terme 1708 Peter Sonmans Esq^r one of her Maj^{ty}s Councill & a Judge of y^es^d Court, & Judge of y^e Inferior Court of Pleas In

y^e County of Mid'l^x: was Indict'd by Grand Jury of Mid'l^x: for Perjury and Adultrie.

Jeremiah Bass Esq^r Secretarye &c: was Indicted for Perjury & Forgery

May Bickley Gent. was Indicted for Barratrie.

Jacob Arents was Indicted for taking M^r John Barclay on Whit Sunday as he was acoming out of y^e Church from y^e Holy Communion. Elizabeth Arnald Late Servant to Samuel Jennens was then alsoe Indicted for Adultry with said Sonmans who still Continuous with their bastard at his house In Perth Amboy.

The next Supream Court being May Terme was held at Burlington Before August Terme 1709. The Sheriff of Mid'l^x: received from y^e Attorney Gen^l Venuries for Sumoning of Juries & Subpœnas for Evidences to try y^e above mentioned persons upon y^{es}^d Indictm^{ts} all w^{ch} writts were made returnable at y^{es}^d Supream Court to be held at Perth Amboy y^e 1st Tuesday of August, but y^e 1st Day of y^{es}^d Term was not till y^e Second Tuesday of the Said Month.

The then Sheriffe M^r Adam Hudd [Hude] returned All y^{es}^d writts to y^e Attorney Gen^l at Burlington & Acquainted him with y^e mistake & to obviate all objections desired they might be amended. The Attorney Gen^l altered y^e time of y^e return of All y^{es}^d writts to y^e Second Tuesday & Sent them back to M^r Hudd, but when y^e Juries & Evidences were all ready at that August Court to try y^e Indictm^{ts} it was Objected that non of y^e s^d writs had been touched with y^e Seal by M^r Bass. After they had been Altered, so All the tryals were put of, w^{ch} may be presumed to be done with designe, as will appeare by what followes, that they did not Like to have Juries Empanelled by M^r Hudd then Sheriffe.

New Venuries & Subpœnas were sent to S^d M^r Hudd by y^e Attorney Gen^l before November Terme 1709 and

y^e Juries & Evidences were Sum'oned & ready at y^e Court to try y^e s^d Indictm^{ts}, but then at that Court M^r Barefoot Brumson produced A Com'ission for Sheriff tho' ye former Sherriffs time had not expired by all most three months & no objection had been made against him In y^e Execution of his Office.

The Court would not take upon them to determine w^{ch} of the Sherriffs ought to Act & drilled y^e Matter a long without determining w^{ch} Sheriffe Should till the Last day of the terme when All y^e Juries were discharged by y^e Court and then y^e s^d Court did accept y^e returnes of writts made by the Said Adam Hudd by w^{ch} proceedings none of y^e Aforementioned Indictments could be then tried.

Before May Terme 1710. A bundle of Venuries for Sum'oning of Juries & Subpœnas for Evidences to try y^e s^d Indictments were sent open to y^e Post Office at Amboy directed to Said Sonmans & by said Barefoot Brumson then Sheriff of Midd'x: A Jury was prepared who tried y^e s^d Actions at Burlington y^e s^d Last May Terme w^{ch} Jury may be reasonably presumed to be pick and packed on purpose. Cap^t Bond y^e Storekeeper In New York Fort was brought Down & made one of them a person who has been known to be made use of as a Surveyor by a pretended power from s^d Sonmans at whose House y^e Last Sumer y^e s^d Elizabeth Arnald was brought to bed of another bastard & who also claims y^e being a freeholder In y^e s^d County of Midd'x: by A title derivd from said Sonmans.

The Evidences whose Names were Indorsed upon y^e Indictm^{ts} were not Subpœned, so that All y^e Criminalls Escaped without punishment for their faults & detestable wickedness & reasonably may be supposed by A Combination of those whose Duty it was to have punished them.

Answer of M^r Basse Secretary of New Jersey to a Representation of M^r George Willocks against him.

[From P. R. O. B. T., New Jersey, Vol. I, C. 102.]

To his Excellency Robert Hunter Esq^r General and Governor in Chief in and over her Majesty's Provinces of New Jersey New York and all the Territories and Tracts of [Land ?] Depending thereon in America and Vice Admiral of the Same &c.

The Answer of Jeremiah Bass, Secretary of her Majesty's Province of New Jersey and Clerk of her Majesty's Councill.

To a Defamatary Paper Entituled &c a Representation of the hardships that George Willcoks of Perth Amboy in the Said Province &c Hath and doth Labour under by the Injustice of Jer Bass Esq^r Secretary Clerk of the Supream Court &c In the Execution of his Office are hereby Offer'd to the Consideration of the Hon^{ble} house by the s^d George Willocks.

May it Please Yo^r Excellency

Injustice is never without Some pretence to Palliate her Actions and rather then faile will Masque her Self Under the Couler of the Publick Good; Envie is Ever [... ? ...] and Uneasy never pleased but in Contriveing and perfecting Mischiefe The wicked Like the Troubled Sea always Casting up Mire and Dirt Uneasy to themselves and always Troublesome to Others, to whome this Charecter is Due will plainly appeare to Yo^r Excellency by the s^d Representation which is so untrue and Malitious in all its parts that it would Justly be wondred at how any Dar'd So farr to Pre-sume upon Yo^r Excellency and the house of Repre-

sentatives as to Offer Such a Libble; if any Other but M^r Willocks had been the Author thereof. But as it is Impossible to Gather Grapes from Thornes soe can it not be Expected that Ought-Else but Rancor Spleen and falshood Should Come ffrom that Gentleman who has for many Years appear'd to the Province to be made up of Nothing Else, and even Long before the Surrender of the Government to her Maj^{ty} hath been one of the Chief Firebrands and Contrivers of all the Discords Divisions and Great Disorders of this poor Province, and as if he took a Pride in Braveing the Laws Complains of Imaginary hardships when In Truth one of the Greatest to the Province, Is that a Non Juror who Publickly professes to be Soe and Tel-leth Others who take the Oaths as by Divers Laws Establisht That they are Damn'd and that if there be a hotter place in Hell than another they may be sure itt will fall to their Lott for So Doing is thus permitted to Abuse and Vilifie the Officers of the Goverment; But that Yo^r Excellency may be Rightly Informed I will take Notice of Every Article In the Said Representation and make a full and plaine Answer thereto.

The first Clause Yo^r Excellency will please to Observe Is so Generall as Renders it Impossible to be Answer'd Nor Indeed Deserves any, being Grounded only on the Information of his Attorney: That he ever had any Such Information appears not and may very well be Doubted Since it is highly Reasonable to Suppose his Attorney would Long ago have Complained to the Court if he thought any Injury had been Done his Clyent. If M^r Willocks had Mentioned all or any of these Articles Cutt of and Usually Allowed to Others in the Like Cases I doubt not but I could have Justify'd what I did but the whole being Intirely false It is no wonder he uses Generall (Dolusus Versatur in Generalibus) were the Said Bill to be Retax'd by the p^rsent Ordinance it would not amount to above £13:-

9s: 5d. which is 20s less than it was Tax'd at; To Give Yo^r Excellency a Further Instance of the Unreasonableness of this Complaint I must beg Leave to Inform Y^r Excellency that my Own Fees in that Cause amounting only to £2: 2s: 2d and are not Yet paid me though the whole Costs have been Long Since paid to the Said Willocks or his Attorney; I must Likewise Observe a further Demonstration of the untruth of this Charge that after a Strict Examination of the Bills of Costs taxed and the time of Taxing that Doe Remaine in my Office, I doe not find one Civill Cause Taxed that had been tryed proceeding this Cause Consequently the Allegation that Divers Articles which are Usually Allowed to Others in y^e Like Case must be utterly false.

The Second Article being a matter forreigne and Containing no Charge against me I shall Trouble Yo^r Ex^{cy} with no Answer thereunto.

The third Article as farr as it relates or Seems to Charge me is in all its parts the very Reverse of Truth It was by No pretended but Real Rule and Order of Court that a Special Jury ought to have been Struck in the Cause In the S^d Article Mentioned which I presume to Trouble Yo^r Excellency with is in these words:

Die Sabbat 10th: May 1707: Supream Court p^rsent
The hon^{ble} Roger Mompesson Esq^r Chief Justice.

WILLIAM PINHORNE {	ROBERT QUARY {	ESQ ^{RS}
DAN ^l COXE. }	DANIEL LEEDS }	

Govermner {	Ejectment at the Demise of Peter Son- Willocks } mans Esq ^r
ves	

On the motion of M^r Bicklay pro Que^o, that if Issue be Joyned in this Cause there may be a Speciall Jury Struck.

Order'd that the Sheriffe of middlesex Doe returne the Freeholders Book to the Secretary in three months

that both partys have Notice to Attend and that forty Eight be taken out of the Said Book by the Secretary Twenty four of which are to be Struck out by the Plaintiffe and Deffendant or their Attorneys and the first Twelve that Appeare of the Remaining Twenty four to try the Cause; M^r Walker the then Sheriffe being Served with the Above Rule Returned me the Freeholders Book very few of which whither knowing or unknowing Understanding English or not and Whether under the Direction of the Said Peter Sonmans and Friends to him or not, I was a Stranger to and Consequently Could use no partiality. That in Compliance to the Rule I did not pick but took Eight and Forty Names Indeferently as they Come to my hand which at the Desire of M^r Bickley Attorney for M^r Sonmans I sent to York where the Said Bickley wrote me and the Attorney of the Other Side would Consider of the List and Strick the Jury but M^r Emet the Attorney for the Other Side [of ?] Bickley Disagreeing the List was Return'd to me Some time before the Court and no Jury Struck, Whereupon M^r George [. . . ? . . .] also Attorney for M^r Sonmans took a Sumons from me to [. . . ? . . .] the Other Side to attend at Office in Amboy in Order to [. . . ? . . .] the s^d Jury as was directed by the Above Rule, But the Other Side not Attending Nothing was done of which Complaint was made to the Court by M^r Bickley and M^r George wherupon the following Rule was made—

Die Jovis: 6th November 1707: At a Supream Court p^rsent

The hon^{ble} Roger Mompesson Chief Justice—
 WILLIAM PINHORNE / COLL: TOWNLEY.
 DANIEL COXE

On the motion of M^r George, Order'd that a Speciall Jury be Struck in this Cause that is that the Sheriffe of the County of Middlesex and Somersett doe Attend

the Prothonotary with the Freeholders Book and that the Plaintiffe and the Deffendant or their Attorneys doe Attend: That the Prothonotary take the Book and Opening of it Doe take the Names in Order as they Stand Untill forty Eight be taken out in the presence of all the Said Partys and then that the Attorneys or the persons themselves Strick out Each of them Twelve the Plaintiffe beginning first & the Remaining Twenty four to be Returned by the Sheriffe.

I utterly Deny that any Partiality and Unjustice as is Falsely Alledged appear'd to the Court against me and must appeale to the Gentlemen who were Judges of Court and are present In Town for prooffe; and Yo^r Excellency will Evidently See by Above Rule that it was not any partiality and Injustice in Me as is falsely Alledged that Delayed the Tryall but the Disobedience of M^r Willocks Attorney to the first Rule which Obliged M^r Sonmans his Attorney to Obtain the Second Rule whereby the Attorneys on both Sides were Commanded to Attend in Order to have a fair Jury: And I dare further appeale to the Sheriffs who Served for those years that these Causes were Commenced in, who I am Sure must Doe me the Justice to Say that I neither Directly nor Indirectly advised or Intermeddled in the Choice or Return of any Jury in these or any Other Causes.

As to what relates to the Letter of Attorney of Hadden I doe not Remember or believe that any body Came to me to Demand the Said Copy but if M^r Willocks had Mentioned both the Person and Place and time It would have refreshed my memory that I might have given a fuller Account thereof; But I am very Sure I had not nor Could have any Designe of Defeating the Said Willocks and all Others of what they had purchased by virtue of that power And I hope Yo^r Excellency will allow me to be the best Judge of my Own Intentions.

If I refused the Recording Haddons Release as I know not Weither I did or not till Desir'd by Capt^t Hamilton it must only Proceed from my Diffidence of being paid by the Person that Owned it but Since it was Done as he Owns in the Said Article I think that Accusation might have been Spared and the Carrying over the Records out of the Western Division and Cap^t Hamiltons Orriginal Will from Burlington to Amboy in M^r Hudelys Waggon for which Books there was no Other Occation but to Serve him at that Tryall and of which the Charges are not to this Day Repaid me might have Given me Just Grounds to Expect better Treatment then so False and Malitious an Accusation, but if it Should be granted as I doe not that I Did Refuse to Record Haddons Release having as I have Shewn already soe much reason to Doubt whither I should be paid for my Labour; I cannot Devise how M^r Willocks Conclusion Can from thence be Drawn (Viz^t) That it was Done with an Intention to Defeat him of the Benefitt of the Said Release and upon the Ensueing Tryall Because its Being Recorded or not add no Strength to the Release nor Could the Record of it have been produced as Evidence whilst the Original it Self was in Being and in his own Custody. What M^r Willocks means by these words (M^r Bass Sent out pretended Copys of the Last Mentioned Rule to the Sheriffe of Middlesex Defendent &c) to attend at Burlington the striking of the The Speciall Jury; I protest to Yo^r Excellency I know not being unintelligable I own that I rec^d ffrom M^r Norton a parcell of Loose papers Carelessly tyed together which M^r Willocks is pleased to Call the Freeholders Book but that the Sheriffe Sent it to me I doe not know Nor that the said M^r Norton was his Deputy, on the Contrary M^r Norton Said he was not but was only Desired to Leave those papers with me how much that Looks like a Freeholders Book I need not tell Yo^r Excellency Your

Excellency having Seen it and it Yett being Ready to be produced when Required and when the Said Norton brought the Said Book as it is Called. I very well Remember I looked on it and told the Said Norton that I could not Accept of that as a freeholders Book for it was not Soe being Irregular and Containing a Confused Jumble of the Names of the Inhabitants Some out of Somerset and the next perhaps out of Amboy or woodbridge to which he Reply'd that it was None of his Business or words to that Effect but that the Sheriffe told him he had Jumbled an honest man and a knave together or words to that purpose.

But Since this was made the Subject matter of an Indictment to which I have taken my Tryall and was acquitted by the Jury not Sheltering my Selfe from these pretended As Some Others have done from Real Crimes by Noli prosequi or Ces at processus Though the one was Actually Sent me from my Lord Cornbury then Governour of this province In the words following wrot in his Own hand—

By his Excellency Edward Viscount Cornbury Cap^t General and Governour in Chief of the Province of New Jersey New York & Territorys Depending thereon in America and Vice Admiral of the Same &c.

Whereas I am inform'd that on the Last day of the Supream Court held for the Province of New Jersey att Perth Amboy in November Last att the Instigation and by the Incouragem^t of Certaine Ill minded Wicked People Enemyes to Governm^t the grand Jury of the County of Middlesex was prevailed upon by their Foreman and Some few other Ill tempered men to Preferr Bills of Indictments against M^r Sommans One of the Gentlemen of her Majestys Council M^r Bass the Secretary of this Province and M^r Bickley her Majesty's Attorney General for the Province of New York for Suposed Crimes without any Legall Proofs and being

well Satisfy'd that the Chief foundation of those Bills of Indictments was the Wicked Contrivance of John Royce and John Harrison the two first named in the Said Grand Jury Men Void of Morralls Enemys to Religion of Scandalous Lives who by their unwearied Endeavours to doe Mischiefe have Contrary to the very Tenor of their Oaths prevailed upon Some honest well meaning men of that Grand Jury who were not aware of their Wickedness to Joyne with them to Preferr those Indictments the design Whereof was only to throw Dirt upon those who have the Honour to Serve the Queen (*And have Done it Faithfully*) The better Therefore to Discourage Such Scandalous Practices for the future and to put a Stop to their present Extravagances I doe think fitt as I doe hereby Require and Command You forthwith to Enter a Noli prosequi upon the Indictments against Peter Sonmans Jeremiah Bass and May Bickley Esq^{rs} and for So doing this Shall be to You a Sufficient Warrant Given under my hand and Seale at Horsimas this first day of December 1708.

CORNBURY.

To Alexander Griffith Esqr
Attorney General of the Province
of New Jersey att Burlington—

And another offer'd me by my Lord Lovelace in p^rsence of M^r Attorney Generall—I shall only beg Leave to Transcribe the Said Indictment and Tryall as an Undoubted Evidence of my Inocency

Supreame Court 4th November 1709

Dom: Reg ^r	} On an Indictment for altering the free-
ves	
Jer: Bass	} holders Book &c in these Words.
New Jersey ss	

Middlesex: The Jurors for our Sovereign Lady the Queen upon their Oaths Doe present that Jeremiah Bass Esqr Secretary of the Province Clerk of her Majestys Councill and Prothonotary of the Supream

Court of Judicature of Said Province the fiveteenth Day of October in the Seaventh Yeare of the Reign of our now Sovereign Lady Anne Queen of Great Brittain &c Designing Contriveing and Intending to Pick a Jury in a Case then Depending in the Supream Court of Judicature of Said province Between Abraham Governner on the Demise of Peter Sommans Esqr Plaintiffe against George Willocks Deffendant and in another Case Betwixt the afores^d Plaintiffe and John Harrison Deffendant and in another Case between the said Plaintiffe and Jediah Higgins Defendant and fraudulently Corruptly and Malitiously alter Change and Transpose the books of the Freeholders of the Said Colony and also Did Give a false Copy of the Rules of the Said Court made in these Cases with Design to Defeat the Said Deffendants Contrary to the Duty of his Office and the Evill Example of Others and against the peace of Our Sovereign Lady the Queen that now is her Crown and Dignity To which the Said Bass Pleaded not Guilty—And put himself on his Country.

Proclamation made and the Jury Called over no Exception being made the Jury were sworne as follows

(Viz^t)

William Fisher	William Adkinson	Jn ^o Rogers
Charles Miller	Jn ^o Hancock	Jn ^o Ogborne Jun ^r
Jn ^o Stockton	Jn ^o Hammell	Jn ^o Moore
Tho: Potts	William Ogborne	James Thompson

Proclamation made for Information for the Queen and the witnesses Sworne as Follows Viz^t John Norton David Hariott John Brown and Adam Hude—

Jn^o Norton Saith that in October he Received a Book from Adam Hude high Sheriffe of Middlesex Called the Freeholders Book which he Deliver'd Jeremiah Bass to strick a Jury And that when he brought y^{ee} said Book back to the Sheriffe the Pages were Alter'd; Being

asked what the said Bass said to him when he brought him the Book he reply'd that said Bass was Displeased and found fault with the Book and said it was Irregular and Refused to Strick any Jury out of it because of its being Irregular.

David Hariott said that he saw a Book that it had been taken Assunder and had been Altered and that page 13. were put were page the Second was but he knows nothing who alter'd it.

Jn^o Brown saith that att the request of the Sheriffe he Did write and bind a Book (Viz) The freeholders Book and paged it that when it Came Back from Burlington the pages were Altered but nothing Else but the pages no Names being Added or Altered.

Adam Hude said that he knows nothing of the matter [that?] he received no list of any Names of a Jury from the Secretary [nor?] was any Jury Struck by him that he knows of and then [produced?] the Book in Court which appear'd to be the names of Sundry persons Confusedly Sett Down not in any Regular Order and only tied Together with a piece of Sad Coulerd Tape.

On which the Chief Justice Sum'd up the Evidence and the Jury without Going from the Barr Unanimously Cry'd out

Not Guilty.

Which verdict being Recorded and read to them they altogether agreed to itt.

When Yo^r Excellency shall please to take the trouble of seriously Considering that Tryall and the Charectors as well of Judges as Jurys, M^r Willocks base Reflections upon both in the Close of this Article Cannot Escape Yo^r Excellency's Observation And I believe Yo^r Excellency will be of Opinion that it Deserves the Severest prosecution the Law Directs (Certainly no body but one who is in the Gall of Bitterness could have fallen upon so Malitious a Thought (that it may

Justly be presumed by undue proceedings I Escaped with Impunity.)

I look upon it to be a no Small misfortune that what Mr Willocks affirms in the fifth Article hapned by his own Shewing when only himselfe and I were Together because I am thereby Debared from Convicting him of palpable falshood by Concurrant Testimonys of Standers by. I doe Acknowledge that Mr Willocks came to my Office in November 1708. and p'haps I might make Some Difficultys of Shewing him the Book of Records till he paid me for the Transporting of them thither being brought Wholely for his Service on that Tryall and It is very Probable I might meet with Such Treatment from him as I might Resent in Some Warme Expressions; but that I Either Express'd my Selfe with Such Admiration at the Sight of the Said Power of Attorney or afterwards beged his Pardon and Accompany'd him at Least a Quarter of a Mile from the Office; I must Assure Yo^r Excellency I utterly Deny and Requires much better prooffe then Mr Willocks bare Assertion Especially Since as I Observed before my bringing the Books and that without any Rule of Court to Oblidge me and produceing them in Court for his Service If a Demonstration I never Designed to Conceal what was Recorded therein or to hinder him from having anything that might tend to his Just Defence But to Shew Yo^r Excellency how farr Spleen and Revenge hurry this Gentleman into Inconsistancy with himselfe and that he was not under any Apprehensions of Danger if Either the Letter of Attorney of John Haddons had not been Recorded nor the Books brought over; I must Informe Yo^r Excellency that after he had in Court Caused about tenn Deeds and Other Writeings to be Read and Sundry Evidences Examined the Councill for the plaintiffe Offering to Demurr to all the Evidences produced he himselfe gave Directions to his Councill to wave all his

Proofs as Appears by the Minutes of the Said Court in these words:

Dies Mercuri 3^d of November 1708.

At a Supream Court &c

Present

The Hon^{ble} Roger Mompesson Esq^r Chief Justice

WILLIAM PINHORNE:

COLL: RICH^d TOWNLEY

Abra: Governner	{	Ejectment att the Demise of Peter
vers		
Geo: Willocks		

The Plaintiffe and Deffendant Called and appear'd and the Jury Called over and Sworne as by the Panell and Record and after many Evidences Sworne both for the Plaintiffe and Defendant and many Records Read the Plaintiffe Offer'd to Demurr to the Evidences of the Deff^t On which the Deffendant Waved his Evidence and the Evidences For the Plaintiffe were Sum'd up and the Charge Given to the Jury &c.

As to the Sixth Article It is true that the Said Willocks Did Obtaine a Verdict and Judgement &c; But brought me not any Bill of Cost untill the 26th: of September 1709. and that Drawn by his Own hand and not Sign'd by his Attorney; So that M^r Willocks had Elapsed two Supream Courts One in May and an Other In August before I had the Bill of Costs att both or Either of which the Attorneys on both Sides Attending this Bill of Costs might have been Taxed I very well Remember motion was made in Court by the Attorney for M^r Sonmans that there might be a Rule not to Taxe the Said Bill of Cost without Notice to the Other Side but it was Not thought necessary to Enter any Rule because its well known to be the Constant practice in England for the prothonotary not to Tax Costs without notice when Either the plaintiffe or Deffendant Desired it and it is a maxim in Our Law A Com'uni Obsevancia Non est recedendum, that this was Desired both by the Plaintiffe and his Attorney will at

all times be Owned by them and Should I have Taxed it wth out Such Notice after I was Spoke to both by the Defendant and his Attorney It would have been Irregular and Just Cause of Complaint As to the Bill of Costs which he Calls Excessive Sonmans against Harrison neither Harrison nor his Attorney had Desired to have Notice when the Bill Should be Taxed and therefore I could not Delay the Taxation when it was Desired nor was Oblidged to Give Notice.

But to Convince Yo^r Excellency of the Ill Grounded malice of this Story I must Begg Leave to Inform Yo^r Excellency this Cause of Sonmans against Harrison was Tryed the Ninth of May 1707, and the Bill of Costs not taxed untill the Sixteenth of May 1708, So that Harrison had above a Years time to Object what he pleased against the Bill of Costs if he had Judged it Either Necessary or the Costs to high or to have Caveated the Taxing it without Notice, I have further to Add that M^r Regnier Attorney for M^r Willocks in a Letter of his Dated 20th September 1709: mentioning this Bill of Costs tells me that as to those Articles which regard the Expences on Witnesses (amounting to about £22: 18s: 6d:) M^r Willocks will give Reasonable Satisfaction but M^r Willocks has not to this Day Given any Satisfaction Either by Affidavit of the moneys paid or Otherwise; I doe acknowledge to Yo^r Excellency that M^r Willocks Did Bring me a Bill of Costs to be taxed but not as he Saith Drawn by his Attorney but in his Own hand and not so much as signed by his Attorney that a great many hott words passed between me and the s^d Willocks in Relation to the Said Taxing of the Bill at that time which he with much Violence and many Rude Expressions and Barbarous Threats would have Oblidged me to do Contrary to my Duty and Trust and I doe Own that I did Deny to tax the Said Bill of Costs without giveing Notice Either to the s^d Sonmans or his Attorney But that I might make the

matter as Easy as I could and take from him all Couler of Complaint I took M^r Attorney Generall along with me and Carry'd a Sum'ons Ready Drawn for Either M^r Sonmans or his Attorney to Attend and tendred It to the Said Willocks telling him at the same time that if he would Serve that Sum'ons or Notice and make affidavit of the Service thereof If the party or his Attorney did not Attend I would proceed to tax the Bill (exparte) Nay I further Offer'd him that if he would pay my Expences I would Goe over to Amboy for that purpose; But how Barbarously I was used for my Civility both in words and Actions and what Ill returns was made me for it I shall pass it Over in Sylence; I doe Own Soon after M^r Regnier Delivered or Sent me the Bill of Costs in the S^d Causes to be Taxed and he Rec^d from me Notice for M^r Sonmans or Some of his Attorneys to Attend to the Best of my Remembrance; I sent a Copy of the Said Bill to M^r Bickley Attorney for M^r Sonmans who made Severall Objections to the Said Bill amounting in the whole to 37: 2s: 10d: which were Spedily Deliver'd to M^r Regnier for his Answer that I might Regularly Proceed To tax when I had heard Both Sides, which tho' I have Severall times Asked him for and Even when he was Last In Towne and M^r Bickley was hear Yett I have not had one word in Reply from him Soe that Yo^r Excellency will Easily Perceive the Reason why the S^d Bill is Not taxed Is wholly Oweing to themselves, And that I neither could nor Can yett Doe it without being Partial To the one or the Other Side But this matter Relateing wholly to the Customes of the Court Ought Regularly to be Tryed by the Judges of the Said Court; Tryal per pars Chap: 2^d Sec: 8: who would I Doubt not have Justify'd me in what I have Done.

THE Seventh Article being Altogether Generals is Impossible to be Answer'd; But Yo^r Excellency will allow me to Affirme that it is not the fear of Jealousy

of my Injustice but the Reasonable Expences that hinders M^r Willocks from puting Severall of his own Deeds on Record in My Office as appears by a Letter of his to me In which are these words: ‘ Amboy 9^{br} the 24th 1708: I have a Prity many Deeds if you would be Easy with me I would Record them—but money is Scarce and Recording not Absolutely Necessary Soe that if I cannot have them Done on Easy Terms they must Remaine Undone.

I doe Not Doubt but Yo^r Excellency is well Acquainted that this method of Accusing in Gross is the only Refuge of those who would fain Accuse But Yet want matter and therefore always Judged to be only Flinging of Calumnys at Random in hopes that Some may Stick: Generals never Prove anything perticuler Charges Legally proved can Only with Submission have weight.

But since his Malice is so Evident throughout the whole Representation Yo^r Excellency will Easily believe that he would not have fail’d of being as perticuliar in Mentioning some of the many fearfull & Jealous of the Province as Carefull to paint Severall Instances in the Blackest Colours and makeing as severe reflections on the one as he is in the Other tho’ But Imaginary Accusations if it had been in his Power; The many Deeds I have recorded and have now by me for that purpose Together with. Abundance of Evidences now In Town Confute this false Imputation beyond Contradiction I shall therefore trouble Yo^r Excellency no further on this head which I am Satisfy’d can make no Impression on Any thinking man much Less Yo^r Excellency.

To the Eighth Article that having been the Subject matter of an Indictment against me to which I pleaded and was found not Guilty as by the said Indictment and Tryall on Record doth and will appeare: It therefore requires no Other Answer then the Common and

Legall one (autrefois acquit) which Even Barbarous Nations allow; Though M^r Willocks who 'pretends to 'Insist that It is the Right of the Subject not to be 'Deny'd Justice and that Delaying and Denying are 'Attended with the same Consequences So much the Reverse of Justice that Rather than faile of Doing his Utmost to Load me with a fault I have been Acquited of by Due Course of Law will meddle with what no manner of way Concerns-him; Yo^r Excellency will See this whole Article relates nothing to him Nor is he any ways Concerned with it whither it were true or false.

To be tryed by ones Peers is the greatest Priviledge a Subject can Wish for, and so Excellent is the Constitution of the Government of this Kingdom that no Subject Shall be tryed but by his Peers the Lords by theirs and the Commons by theirs which is the Fortrese and Bulwarke of their Lives Libertys and Estates; and if the Good of the Subject be the good of the King as most Certainly it is then those are Enemys to the Good of the King and State who Attempt to Alter or Invade this Fundamentall Principle in the Administration of the Justice of this Realm by which the Kings Prerogative has flourished and the Just Libertys of the people have been Secured In so many Ages Tryall [?] p^r pars cap^t 1.

For who would not Choose to live under that Law wherein he might Live with Security then under that Law which would Sett him naked and succourless against the Cruelty of his Enemys Verily no man Can be Safe in Body or Goods whome his Adversary may convince In every Cause with two unknown Witnesses of his Own Chuseing and bringing forth Forth Forrescue in Com^r: of the Laws of England Chap: 8th but to what purpose are these Laws by this and Severall other Sages of the law so highly Valued when a house of Representatives without Legall Evidences without hearing the party accused or any Defence made Shall

Condemn or at Least Censure a Guiltless person; this way of proceeding Is more Justly to be feared then that of the Civill Law, which that worthy Author in so many Instances Justly findes fault with whilst on the Contrary under the Legal and [usual way?] of Proceeding by Jurys an Innocent person may pass his Life in Quietness and Security.

To the Ninth Article Relateing to the Records I must beg Leave to Informe Yo^r Excellency that in a Petition of the Representatives of the Eastern Division a Copy of which I have hereunto annex for Yo^r Excellency's Perusall; There was an Ord^r of the Governour in Councill made the Seventh of November 1705, for the Delivering of all Records and other Publick papers into my hands to be kept in the Eastern Division That some Persons who then had them in Custody Did only Deliver Some Records and Other Publick papers And M^r Willocks and an Other Gentleman to this Day Detaine as I am Informed Very near as Considerable a part of the Publick Records and Other publick papers in their hands as are Deliver'd and though Repeated orders have been since made are Soe farr ffrom Delivering of them that it is not known were they are nor any Possibility of having a Sight of them and No body but M^r Willocks (who by a Letter from M^r Gordon and a Copy of a Receipt Signed by him and Doctor Johnson Confess to keep the Said Records and papers In their Custody) would have the Assurance to Complain of what himselfe Only is Guilty of—

This may it Please Yo^r Excellency is Indeed a Grievance that Publick Books and Records Should be kept in perticular hands Soe Privately that no Recourse Can be had to them and of which many have Complained

I am very well assured Neither M^r Willocks nor Any Body Else was Ever Deny'd Access to the Records nor Copys from them nor to have the Records themselves In Court when Ever he or they had Occasion for them and Frequently without any Fees paid for the Same.

That I have not any Deputy Resideing at Amboy I acknowledge and Shall not Easily be prevailed with to Appoint one (and if I would know not where to have one In that Towne), Since I was So Ill Served by the two former M^r John Royce and M^r Benjamin Griffith: The first having So Mismanaged that Trust that I was Oblidged to Dismise him or be Lyable to Answer for more Real than This Representation Contains Imaginary faults, and the Other though an honest Man was Surprized into a Mistake by John Barclay who raised and Altered the Records while the Others Back was turned as appears by two Affidavits, for which the Said Barclay Is now

I need not Observe to Yo^r Excellency that this Article is only a Story of M^r Willocks but that nothing Therein Contained any ways Charges me with any faults Omission or Misdemeanour, and it is wholly wrapt up in Generall Terms and to which Yo^r Excellency I am Sure will not think it possible that Any Perticular Answer Can be Given.

I shall now with Yo^r Excellency's Leave begin with the Affidavits of Jacob Tappan to which I shall only Answer that I can Not Devise to what Purpose this Affidavit was brought into the house of Representatives Except it was to Expose M^r Sharp for I am So farr Believing it to be a Charge against me that I Own the Greatest part of it to be true Continueing of the Same mind and for prooffe present Yo^r Excellency with the following Transcripts of Records now in my Office—

Glocester Com^r:

The Jurors for our Lady the Queen being Sworne upon their Oaths doe present that Isaac Sharp late of new Town in the County of Glocester Yeoman on the Seventeenth day of August in the Second yeare of the Reign of our Lady Ann by the Grace of God of England Scotland France and Ireland &c Queen Defender

of the faith &c with force and Arms a Certaine Close or field of one Samuell Harrison at the Town of Gloucester near new Towne Creek in the County aforesaid Did Break and Enter and in and upon one peru a Negro Woman Slave of the Said Samuell Harrison then And there in the peace of God and of our Lady the Queen being An Assault and Affray Did make and with a Certaine penknife of the value of one Shilling which the Said Isaac in his Right hand then and there held the Said peru in her Left Breast and in her Left Side under her Said Left Brest then and there Greaviously Did wound So that of her Life it was Dispared and Other harms to her Did against the peace of our Lady the Queen her Crown and Dignity &c.

Glocester ss.

The Jurors for our Sovereign Lady the Queen being Sworne upon their Oaths Doe present that Isaac Sharp late of new Towne in the County of Gloucester Yeoman on the Seventeenth Day of August in the Second Yeare of the Reigne of our Lady Anne by the Grace of God of England Scotland France and Ireland &c Queen Defender of the faith &c with force and Arms a Certain Close or feild of one Samuell Harrison at Gloucester near New towne Creek in the County of Gloucester Afores^d Did Break and Enter and in and upon Sarah then the Wife of the Said Samuell Harrison then and there in the peace of God and our Lady the Queen being an Assault and Affray Did make and her Did Beat and Evily Intreat and Other harms to her the Said Sarah Did against the peace of our Said Lady The Queen her Crown and Dignity &c Witness Sworne in Court Sarah Harrison Ann Harrison Rich^d Bull.

Glocester ss:

The Jurors of our Lady the Queen being Sworne Upon their Oaths doe present Isaac Sharp Late of New Towne in the County of Gloucester Yeoman on the Seventeenth Day of August in the Second Yeare of the

Reign of our Lady Ann by the Grace of God of England Scotland France and Ireland &c Queen Defender of the faith &c. with force and Arms a Certaine Close or feild of one Samuella Harrison at Glocester near New towne Creek in the County aforesaid Did Break and Enter and in and upon Ann the Daughter of the Said Samuella and Sarah his wife in the peace of God and of our Lady the Queen then and there being an Assault and Affray Did make and her then and there Did Beat and Evilly Intreat and other harms to her the Said Ann Did against the Peace of our Lady the Queen her Crown and Dignity &c.

The Petty Jury Returned into Court and were Called over and brought in on the Indictment against Isaac Sharp for wounding the Negro Woman Slave Called peru *Guilty*.

On the Indictment of Isaac Sharp for the saulting of Sarah Harrison *Guilty*.

On the Indictment of Isaac Sharp ffor Assaulting of ann Harrison *Guilty*.

The Latter part Relateing to the Three Thousand Pounds the Deponant hath mistaken my Sence It not being to be Supposed that I was or Could be against Giving the Queen Money, Neither was that the Subject of what was discours'd But the Necessity of Saveing what was Posible of that three Thousand pounds that had been Given to the Country as it Appears Might be Done by the Reports made to the [. . .] of the Council and Assembly made the twenty fifth day of January Anno q Dom: 1709 and now Remaineing in the Secretary's Office.

Having thus Gone Through with my Answer to the Said Representation I have Nothing more to Add but that I am

May it Please Yo^r Excellency,

Yo^r Excellencys most humble

and Obedient Servant,

J. Bass

To his Excellency Edward Viscount Cornbury Cap^t Gen^l and Gov^r in Chief of her Majesty's Provinces of New Jersey New York and all the Territories and Tracts of Land Depending thereon in America and vice Admirall of the Same &c.

In Council

The Petition of Severall of the members of the Generall Assembly that are Chosen for the Eastern Division of this her Majestys Province of New Jersey

Humbly Sheweth

THAT wee Yo^r Excellencys Petitioners Together with those Whome wee are Chosen to represent having Great Part of the Evidences of our Estates and Titles to our Lands Recorded in the Publick Records of the Said Eastern Division of this province which are Informed are not Lodged in the hands of her Majesty's Secretary to whome we may on all Occasions have a Constant Recourse But remains in the possession of those whom neither wee Nor those whom wee Represent have any Confidence in and as we humbly Conceive are not any was Qualify'd for So great a Trust being no Sworne Officer of Records and being at present Left not only in a very Great uncertainty where the Said Records Are and how wee may have Recourse unto them but also having no Mean Cause to fear that all things may not have been fairly Managed by those persons.

Wee therefore humbly Pray Yo^r Excellency that a Com^{it}tee of the Councill Together with a Committy of the faire Representation may be Appointed to View the Said Records and that Peter Sonmans Esqr Agent for the proprietors of the Eastern Division of this Province may be present at the Said View and that Thomas Gordon be Likewise Ordered to Attend at the Said Com^{it}tee and when they are So Review'd that the Said Records may be Immediately put into the hands

of her Majestys Secretary for this province as being an Indifferent person betwixt her Majestys Subjects Inhabiting this province and the present proprietors of the same that the Records may be kept by the Secretary or his Sufficient Deputy Approved by Yo^r Excellency within the Eastern Division of this province of Nova Cesaria.

And yo^r petitioners as in Duty Bound &c

RICH^d SALTER RICH^d HARTSHORNE JN^o ROYCE
JASPER CRANE ANTHONY WOODWARD OBADIAH BOWEN
JN^o TUNISBER PETER VANNESTE JN^o LAWRENCE

Middlesex ss

Memorandum That on the Twenty fifth day of May in the Eighth year of the Reign of our Sovereign Lady ANNE over Great Britain France and Ireland Queen, Defender of the Faith &c We Peter Sonmans & John Drake Esq^r: two of Her Majestices Justices of the Peace for y^e Countys of Middlesex and Sommersett Quorum unus, did by Warrant under our hands & Seals Com^{and} a Constable to bring George Willocks of the Town of Perth Amboy in the s^d County of Middlesex Gent: before us who was Accordingly on the s^d Twenty fifth day of May brought before us & pursuant to the Statute of y^e first of King William & Queen Mary Entituled an Act for the Abrogating of the Oaths of Supremacy an Allegiance & appointing other oaths we did then tender unto y^e Said George Willocks the oath mentioned and appointed by y^e Said Statute to be taken, which said Oaths being so tendred the said George Willocks utterly refused to take, & Said That he was not Satisfyed in the Authority of us y^e Said Justices humbly certify to this hon^{ble} Court

PETER SONMANS
JOHN DRAKE

A true Copy
J Bass Sy

[Another affidavit from the same parties of like tenor, stating that Willocks also refused to take the oath prescribed by an Act for the better security of her Majesty's Peace and Government, passed in the 6th year of the reign of Queen Anne.]-Ed.

An Address from Inhabitants of Salem to Governor Hunter—relative to the payment of taxes and the election of new Representatives for that County.

[From P. R. O. B. T., New Jersey, Vol. I. C. 108.]

Salem May y^e 25th annq Domini 1711

To his Ex^{cy} Robert Hunter Esq^r Capt^t Generall
and Gov^r in Cheife of y^e province of New
Jersey New York &c

The Humble Address of the Inhabitants of y^e County of Salem who are deeply Senceable of Our Gracious Queens innewmerated favors bestowed upon her Subjects though Sepperated from her whom God Grant long to Reign One of which favours is in Sending yo^r Excellency whose mild and Gentle Conduct we hope will cause us to say we are happy in Congratulating yo^r Excellencys Safe Arrival and humbly Sheweth that we Esteem it our bound duty Honour^{ably} to Support Government and humbly Desir your Excellency in yo^r Clemency to Grant that those of us that cannot produce Silver Money to pay our Taxes the Collectors may be allowed to receive wheat Silver money being Extreemly Scarse, the Straits must Unavoidedly Come make us intrude with this Humble Request that those who cannot procure there Taxes may be preserved from distraints and as peace and Concord is the Strength of a Country we humbly Address your Excellency to Grant us a New Choise for Representa-

tives for our County many of us being Neglidgent in y^e last Election that those of our Members who in dangers our depopulation by strife & Anymosities may be removed from that honourabl body that designing men may be disinCouredged and we Her Maj^{ty}s Loyal and Obedient Subjects for your Excellency's Long life and Everlasting felissity your Addressors shall pray

John Hollingsworth

Roger Huchings

Thomas Wright

Isaac Pearson

Jacob Hendrixson

Sam^l Wade

Benjamin Jones

Joseph Ware

Jeremiah Smith

Jonathan Smith

John<sup>his
+
Mark</sup> Loyd

William short

and two hundred and ffifty persons more

Recd: 10 April wth Coll: Hunters Lre: of the 1^o Janu:
1711.

*Letter from the Lords of Trade to Governor Hunter in
answer to his communication of May 7th, 1711.*

[From P. R. O. B. T. New York No. 52, Ent. Book H, p. 391.]

**Letter to Colonel Hunter Govern^r of New York
and New Jersey.**

June the 29th 1711

Sr

Since Our Letter of the Tenth of Aprill last, a Duplicate whereof is here inclosed, We have received two from you both, Dated the Seventh of May 1711

We have at present the said Letters and the Papers therein referred to under Our Consideration, in Order to Our laying before her Majesty, what shall appear necessary in relation to both Your Governments, so that till we have gone through the whole, and Her Majesty's pleasure be Declared thereupon. We shall

not be able to give you particular answers to the Several Matt^r contained in Your said Letters.

* * * * *

With Our Letter of the sixteenth of March last, relating to the Government of the Jerseys, a Duplicate whereof has been sent you, We transmitted to you Her Majesty's Order in Council, of the first of the said Month, confirming the Act for ascertaining the place of Sitting of the General Assembly of that Province, So that that Matter is now at an end.

As to what you write in relation to the Court of Chancery, and to the Members of the Council being Judge Assistants in the Supream Court, and to the inconveniences that may arise thereby; we can only observe that by your Com^{ss}ⁿ you are Empower'd and Authorized to Erect Constitute and Establish, with the Advice and Consent of the Council, such and so Many Courts of Judicature and publick Justice, as you and they shall think fit and to Constitute and appoint Judges Com^{mission}^{rs} of Oyer and Terminer Justices of the Peace &c^e So that if you find any inconvenience, by the present Constitution of the Supream Court, Your Commission and Instructions in that behalf, will be your best guide.

We desire that you would send us by the first Conveyance, a Complete Collectⁿ of all the Laws of New York since y^e Year 1691,

We have only to add that hereafter in your Correspondence with Us, It will be more easy and proper, that what you write relating to each of your Governments, be in Separate and distinct Letters

So we bid you heartily Farewell

Your very Loving Friends,

WINCHELSEA.

PH: MEADOWS.

GEO: BAILLIE.

ARTH: MOORE.

FRA: GWYN.

Whitehall June)
the 29th 1711 }

Letter from Edward Richier, a West Jersey Proprietor, to Secretary Popple.

[From P. R. O. B. T. New Jersey, Vol I, C. 108.]

Letter from M^r Richier relating to the Complaint he and others have to make agst four of the Council of New Jersey.

Hamsted 9th July 1711

S^r

I had y^e favour of y^{rs} wch came not to my hand till Saturday night occasion'd by it^s being directed to my brother Isaac to whom my Serv^{tt} sent it. We have as yet rece'd no Letters from y^e Jersies, but I have writ to M^r Dockminique y^e President of our Society who in a day or two will wait upon y^e L^ds Comm^{rs} & c w^{ht} we have to offer lies in a narrow compass we have formerly complain'd (& not without very great cause) againt these 4 men in y^e Council viz^t Cox, Summans, Hall & Pinhorn, & ag^t Jerimiah Bass Secretary, & ye late Rep^sentac^on of y^e Assembly has justified our complaint. I shall not wonder if Dockwrey become an Advocate for y^m because they have been his Tooles to act Such things for his private advantage, to y^e great wrong of those who intrusted him yt I hope w^{ht} he can offer will have very little weight wth their Lords^p as to Dockwrey^s Character, we must refer to a memoriall left Some years Since at y^e Board wth Severall Affidavits ag^t him transmitted to us under y^e Seal of y^e Province of East Jersie

I am Y^r most humble Serv^{tt}

*Edward Richier*¹

¹ It is not known that Mr. Richier ever visited New Jersey, but he was always active in connection with the affairs of West Jersey in London.—ED.

*Letter from William Dockwra to Secretary Popple,
transmitting the letter that follows.*

[From P. R. O. B. T., New Jersey, Vol. I. C. 111.]

Letter from M^r Dockwra, inclosing the Extract
of One to him from one of the Council of
New Jersey relating to that Government.

W^m Popple Esq^r These

Sr

Having Rec^d Your Letter on Thursday the 5th Current, Signifying, the Lords Comm^{rs} required to know, whether I had rec^d any further acco^t from Jersey relating to the transactions of the Councill & Assembly of that Province, I forbore to write a Negative Answer; but purposed to have attended the Office at 10 or 11 on Monday last to have acquainted You (or the Lords Com^{rs} if they required it), what was the Unlucky Occasion of the want of the Second Packet, that my first gave me advice was following, being Unwilling to trouble their Lordships, or You with so long a Reading as the Narrative required to write; but, so far as I had been informed on the Wednesday; which was only that the Gentleman One M^r Read, into whose hands the Care and trust of the Packet was com^{itted} at New York to be delivered to me died on board the Said Packet boat 12 daies before it's arrival at Bristoll; And All our Enquiry wee could make, amounted to no further discovery in London, untill Wednesday the 4th I had Answer from a Relation of Mine at Bristol, with Instruction what was become of the things the deceased left on board in his Chest: the Cap^t telling him the Keys thereof were Sealed up and could not be opened till his Relations, who had the right, came to Settle things with him; And then he was ready to deliver the Keys to open the chest. But none of his Re-

lations had then been with him, but had a Letter from Londⁿ that either one M^r Trubshaw or M^r Stockwell would come to Bristoll this Week, and Settle things and open the Chest; but for any Packets that were in the Chest, the Post tax must first be paid at 4^d P ounce, to that my Kinsman had order to agree, and will take care of their receipt and conveyance to London.

This I intended to report Monday last if I had had no further Acco^t than the Said Read was dead, but Saturday Evening was I taken So Ill as not only to confine me to my Chamber, but, most to my bed till Yesterday, but not out of my Chamber yet, though I thank God willing to have ventured abroad today for two or three hours Air, but overruled to keep home till sunday.

I feared my not appearing, and continuing Silent to next Monday might expose me, to be censured for Neglect &c^a therefore though not allowed to goe forth today though pretty well, I chose rather to write the Cause of the delay of my Packet, & my not paying my Duty of answering & appearing to attend the boord as I proposed to do on Monday last.

I have in some Intervals of my Ills read over Some of the Many New-Jersey Papers lying with Me, & taken from some of the last letters (rec^d 11th June last) an Extract of some such Transactions as are so very Extraordinary, & that come from One of my friends An Honest South Brittain, & Obedient Son of the Church, who is no Insinuating Hypocrite, but a Man of Probity, And the Noble Lords & Hon^{ble} Gentlemen at the boord may depend upon the truth of what future Reports & Representations will, appear transmitted by the Same good hand, & two or three More of the like Character: And hope their Lo^{ps} will bestow such credence as they will find they deserve.

Meantime I hope they will please to view this en-

closed Paper of Small Samples. I have taken off from the bigger Pieces, which, when shall be thought fit to be called for, their Lordships will find them True patterns; And, if these two Sheets of Paper of Collections be Accepted of by their Honours, as an Attonement for my Involuntary Absence, I shall, with all humble Submission, acknowledge it to be a very Great favour, And, if You'le please to forgive the drawing this Letter to Such a length, you will by yo^r patience & good nature Oblige,

S^r Yo^r most hum^{ble} Serv^t

WM: DOCKWRA

13th July 1711

Extract of a Letter from a Member of the Council, in New Jersey to M^r Dockwra relating to the Proceedings of some of the Council and of the Assembly of that Province, and to Colonel Hunters Administration [Sent with the foregoing letter]

Sir

My last two letters were by 'our good Friend the Hon^{ble} Collonell Nicholson of the 14th 9^{ber} and by M^r Norton of the 10th of December, to which narratives (without Repetition) I referre you of Our New Governors surprising beginnings falling in with the Seditious faction of turbulent Men whose chief Ringleader has in his whole life time, (ever since he writ man) in all Governments, been Lewis Morris

The first thing great busines I will beginn wth is to tell you That The Assembly mett the 4th day of December and continued sitting untill the 10th of February

¹ By whom this letter was written has not been ascertained.—ED.

Enclos'd you'll finde the Governors speech, and the assemblies & Councils Addresses.

Mr Sonmans will send over coppies of the Acts past, and of such as the Councill Rejected, by which will be plainly perceived what our Pollititians attempted to compass by the countenance & encouragem^t of His Excellency, who, notwithstanding his repeated Professions of his Impartiallity and desire of Peace & Union, has entirely & passionately expoused the Seditious Party of Morris, Johnstone &c^a and united with the Quakers; and little has been transacted during the Sitting of the Assembly without his Previous Knowledge and Connivance.

His Cabinet Council has been and is Lewis Morris, George Clark¹, Johnstone², late Cap^t now Coll. Farmer, Thomas Gordon, Tho. Gardiner a Quaker, & Geo Wil-

¹ George Clarke was Secretary of the Province of New York and was consequently brought into close relations with Governor Hunter. He rose to eminence in that Province, but is not known to have had any special connection with New Jersey affairs, excepting at one time being Auditor General.—See notice of him in N. Y. Col. Docts. Vol. XIV, p. 1069.—Ed.

²

John Johnstone

was one of the passengers on board the "Henry and Francis," that arrived at Perth Am-

boy in December, 1685, from Scotland. He had been a druggist in Edinburgh and became known immediately in New Jersey as Dr Johnstone. Having been associated with George Scot inducing emigration from Scotland, and marrying his daughter, the Proprietors in 1686 confirmed to him a tract of five hundred acres of land on account of his wife (Scot having died on his way to the Province), and again in 1701 a further grant of over thirty thousand acres for his own and Scot's services and in consideration of their heavy losses. But notwithstanding he was so largely interested in New Jersey lands, he soon took up his residence in New York (although oftentimes alluded to as of New Jersey), of whose Assembly he was a member in 1709 and 1710. In 1711 his permanent residence appears to have been there, and about 1716 he became Mayor of the City. He was subsequently recommended for the Council in that Province, but was not appointed a member until 1720, under Governor Burnet, but about that time he removed permanently to Perth Amboy and was consequently dismissed from that Council. He was subsequently for several years (Smith says thirteen, but that number cannot be verified), in the Assembly of New Jersey, most of the time being Speaker. He was one of the Commissioners in 1719-20 for settling the boundary between New York and New Jersey, and at different times held other offices with credit to himself. He died September 3d, 1732, "very much lamented by all who knew him, and to the inexpressible loss of the poor, who were always his particular care."—Whitehead's Hist. of Perth Amboy and Surrounding Country.—N. Y. Col. Doct.—Ed.

lokes. The three First Chiefest Managers. they began with entering into a Strict League with the Quakers.

Preliminaries being Settled, & Articles agreed on, they fell to work; and drew up & Presented their Address, by which it is Evident they Act by the Same Principles & moved by the Same Spirit as formerly.

And the Earl of Clarendon though absent & out of their Reach, must be attacked in Order to open the way to ruin his Friends.

Her Maj^{ties} Councill of State was Seldome Consulted, except about passing of Bills.

The Gentlemen of the Councill might have taken Just Exception to the contents of their Address, but Wee forbore, that the Governor might see Wee were willing to Joyn with Him in accomplishing The Great Work of Peace & Union which he pretended to be so desirous of, how really the Event will Shew.

Wee presented Our Address to His Excellency, by which you will see Our Principles are the Same as Ever, And that Wee did avoid whatever might look like entering into the List of Controversy.

Our Address was Extreamply Opposed by M^r Morris Tho Gordon, George Deacon & Thomas Gardiner, Neither of Whom would Sign it, for what Reason I never could learn, except that the first of those had not the Penning [?] it with Reflections on The Lord Clarendon's Administration but Our Peaceable Address disappointed them Extreamply; for they could from thence gather No matter for a Quarrell with Us, which Wee found, they Earnestly desired.

They then fell on New Measures, which were, to Pass some Bills which they knew Wee must reject: Accordingly A Bill for Recording of Deeds in the Severall Counties of the Province: another for Destroying Prosecutions by Informations, and A third for Quallifying Quakers to serve on all Juries give Evidence in Criminall Causes, & hold & enjoy Offices of Profit &

Trust in the Government: Which were Accordingly Sent up to Us.

The 1st took away the Only Valuable Perquisite belonging to the Secretaries Office, & was directly contrary to his Patent, & indeed impracticable the Clerks of many Counties being Scarce able to write, & having no particular Offices, and on Other Acco^{ts} most Incapable of Such a Trust.

It was moreover proved, that the Records of Severall Counties have been lost or embezzled by the Negligence or Roguery of the Clerks, besides Severall other Reasons which were urged, too tedious to relate.

The Bill for Destroying Prosecutions by Informations was directly contrary to the Acts of Trade & Navigation, & indeed the Prerogative of the Crown—but You have too well known what Vallue this Factionous Crew have ever had for That.

The Last Bill was Such a Monster that Every Part of it was Terrible. It unhinged Our Very Constitution of Government, as directly contrary to the 7th & 8th K. William A great Encouragem^t of Quakerism or rather it's Establishment, at least in this Province: And of the most Pernicious Consequence to the Church of England.

The Quakers in the Councill, & their two Fast friends Morris & Gordon attempted the Passing that with Mighty warmth; The Gov^r Himself extreamly pressed the Same, at least Com^{mit}ting it, for fear of Angring the Assembly, or putting them, as was the Pretence, out of Humour.

But Wee considered if it was Com^{mit}ted, some trick or Other might be used to pass it So Wee Resolved to Reject it on the Second Reading; which being done; And the Quakers disappointed of their Magna Charta as it was termed, And indeed the very darling of their Souls, & no doubt part of the Prize promised them by Morris &c^a they grew Angry: On which Doctor John-

stone Reported from a Com'ttee of the Whole House, that, Notwithstanding it was of the Utmost Consequence to the Prop^{rs} and Inhabitants of this Province, that a Bill should be brought in for Settling their Rights to their Lands. Yet it was to No purpose to do it at this time; because there was no likelihood that The Councill would pass it, or to that Effect.

This was designed to throw a Slurr on the Councill & to imprint an Ill Opinion of them in the Minds of the Ignorant Unthinking Multitude, as Men who Opposed any thing that was of benefit & Advantage to them.

He Reported likewise, that they had past a Bill in that House Conformable to Her Maj^{ties} injunctions in Relation to the Ease of the People called Quakers but that the Councill without Com'itting it had rejected it designing thereby to Magnifie their Obedience, & Our dis-obedience to Her Maj^{ties} Instructions when the Case is Really thus.

Her Majesty Orders Her Governor to take care, that, in Order to the Case of the Quakers in what they conceive to be matter of Conscience So far as may be consistent with Good Oorder, and Government, An Act be passed in the Gen^l Assembly to the like Effect as that passed in England in the 7th & 8th year of His late Maj^{ties} Reign. Intituled, An Act that the Solemn Affirmation & declaration of the People called Quakers shall be accepted instead of an Oath in the Usual form &c^a Now this Act of theirs being directly contrary to what the Queen recom^ds, & to the Abovementioned Acts of Parliament. Mankind must wonder how any Set of Men could have assurance enough to make so false & Scandalous a Report, but the Men & their Principles are too Manifest by their Notorious Practises.

They Resolved to have a New Clerk to their Assembly, presuming that M^r Pinhorne being formerly of the E. of Clarendon's appointment would not be a tool to them; they Address the Gov^r ag^t him. And though

every thing they Alleged was false in fact, or no Crime, Yet the Governor appointed one Bradford the Printer at New-York in his Room, who had been waiting in this Town about a Week before in Expectation of that Place.

Thus You will plain perceive N. York & the Party Supply N. Jersey with Instruments requisite to accomplish it's destruction.

And having in this been Successfull, they Next attack the Secretary & Clerk & Councill M^r Basse first by Complaints afterwards with Petitions and Ad-dresses.

The Councill finding So Great an Inconvenience in the loss of One Honest man, the Clerk of the Assembly, & understanding M^r Farmer' was designed to succeed M^r Basse if they could remove him, The Council resolved, if possible, to prevent that, therefore by Advice of Colonel Quary, they drew up an Address to the Gov^r in the Secretaries behalf, which I believe broke their Measures by the Unpleasant Answer the Council received, which together with the Address the Governor Ordered to be enter'd in the

1



removed to Perth Amboy in 1711, from Bentley, Staten Island, having previously, however, filled the post of Collector of the Customs at the former place.—See Governor Hunter's Let-

ter to the Commissioners of the Customs, May 7th, 1711. Soon after his removal to New Jersey he was appointed Second Judge of the Supreme Court of the Province, and from March, 1728 to November, 1729, was the presiding Judge. In 1735 he was appointed one of the Council. He represented Middlesex County in the Assembly from 1740 to 1743 during the administration of Governor Morris. For some time before his death he was insane. He left several children, one of whom, Christopher, took the name of Billop, which was the maiden name of his wife, and with it inherited a large estate on Staten Island, including its southern termination which is yet known as "Billop's Point." He identified himself with the enemy during the war of the Revolution, and it was in his house that the conference took place, in September, 1776, between Lord Howe and Franklin, Adams and Rutledge, the Committee of Congress.—History of Perth Amboy and the Surrounding Country, pp. 92-334.—New York Colonial Documents.—Ed.

minutes. And therein Condemning M^r Bass, as if positive proof ag^t him, tho' at that time he was intirely a Stranger to the Particulars of the Charge, having had no Sight of it, much less required to answer it.

M^r Birchfield having Suspended M^r (now called Colonel) Farmer for Generall Misdemeanors in his Office of Collector of Amboy.¹ though the Governor made Interest to keep him in, it was Resolved by the faction, that Gentleman should be recompensed with the Secretarie's Office—

You can easily judge what reason Wee had to ward ag^t his being in Such Considerable Posts, as Secretary of the Province & Clerk of the Councill.

It is reported, but I cannot affirm it, that His Excellency sends over the charge ag^t M^r Basse to Brittain & recomends M^r Farmer in his place: I hope you & all our friends will at least Endeavour to prevent that Party-Man being tosst upon Us, or any of that Party, which would be eagually Mischievous.

M^r Willokes was all this while busy in drawing Complaints against M^r Sonmans which were much of the Same Nature with those in my Lord Lovelace's time, with this Addition, that, at the Middlesex Election, he clapt his hand behind, Declaring ag^t a North-Brittain Government which was urged as a designed Affront ag^t His Excellency & all of that Nation, but, M^r Sonmans answered All very largely, a Coppy of which he designs to send home to You in his Packet.

M^r Hall of Salem, was at the Same time, addrest ag^t by the Assembly for making a wrong taxation of a Bill of Costs & Selling a Servant of his, whome they alleged was then a Prisoner, but he presented the Gov^t with an answer in writing, as was thought to his Satisfaction; however it did not prevent his being turned

¹ According to Governor Hunter, the sole reason therefor was his not residing at Amboy.—New York Colonial Documents, Vol. V, p. 231.

out from being chief Judge of the Place, & Since the Grand Jury have found an Indictment ag^t Benj^a Wright of Philadelphia for taking a false Oath ag^t M^r Hall about the Servant.

You may be informed, that M^r Hall being a reputed Quaker, that Party depended on him for their tool, & he was at first highly caressed by the Governor who, (as M^r Hall affirmed to me & most of the Gentlemen of the Councill) told him as a Secrett, that he had resolved in a Month's time to have Settled the Governm^t in another Manner than it was, had not the Surprizing alteration of the Ministry in Great Britain intervened.

However M^r Hall could not be prevailed with to joyn with Morris, Johnstone &c^a but vigourously opposed their proceedings both in & out of Councill the Quakers have now given him a Surfeit, So that he went constantly to Church during his Stay in this town; And Some talk, (upon what grounds I know not) as if that was the Chief reason why he was removed from being Judge, & one Middleton a Quaker (who came into the County in Such a Poor condition, he was forced to Sell himself a Servant to pay for his Passage) appointed Judge instead of M^r Hall.

The Assembly could now no longer disemble their designs; but, at once pluckt off the Mask by falling on Major Sandford a Representative, for the County of Bergen; because he had formerly, when of Her Maj^{ties} Councill joyned with the Lien^t Gov^r & Seaven more of that body in Signeing an Address to Her Maj^{ty} ag^t the proceedings of the Assembly in vindication of Earl Clarendon. for this they expelled him the House making at the Same time a Vote, That that Address was False, Scandalous, &c^a And That No Member of Her Maj^{ties} Councill that Signed it, should be Ever capeable of Sitting in that House, till he had Publickly acknowledged his fault in So doing.

Major Sandford was afterward elected a Representa-

tive a Second time for the Same County, not One opposing him, with a Present of Money to bear his charges, & a Declaration that if they refused to admit him Or expelled him again, he Should be as often chosen; the Sheriff returned the Writt, but the House would not admitt him.

Mr Mott one of the Representatives for Monmouth County, a Gentleman who warmly opposed their Extravagant proceedings, was in like manner expelled the House because He & Mr Lawrence had formerly petitioned the Governor & Councill to have Some Reasons about the Bill for the Canada expedition, which they had presented to Coll Nicholson, enter'd into the Journall, though the true Reason was his dissenting from them; He soon after was returned again by the County with a Gen^l concurrence, but not allowed by the Assembly to Sitt. Some in the House declaring it was Impudence in the County to return any Man they had expelled.

Mr Trotwell [Fretwell?] was the next they designed for the Same fate with Major Sandford & Mr Mott; but, what they had done in relation to those two members had So incenced the Counties for which they were chosen, with the Generality of the Province (that were not Quakers) that it was thought adviseable to proceed no further in Expulsions.

From the time the Councill rejected the three Bills abovementioned there was a Whispering that Shortly Something would appear So frightfully to Severall of the Councill, as to oblige them to abandon the Province and then it would be in the Gov^rs power to appoint a number of new Counsellors, Sufficient to carry all things as they had projected, this was

A Bill, Enacting that all the Statutes ag^t Bankrupts made in England Should be in force in this Province,— And it was Past & sent up, where, after Long Debates & Reasonings it was found the most Pernicious Bill

Imaginable; for besides, that M^r Edward Billing, and M^r John Fenwick, under whome all Persons in West-Jersey held their Lands, So that no man could be secure of his Estate, but the Cred^{ts} of those two Gentlemen might come & take, from us Our Settlements; and Hundreds of the Inhabitants have purchased Lands of Other Prop^{rs} who are likewise Bankrupts; So that to Pass Such a Bill were to depopulate and ruin the Province—But, there will be many Other Unanswerable Reasons Shown why Such a Destructive Bill ought not to Pass, and Wee doubt not to Satisfie Her Majesty & the Hon^{ble} Com^{rs} of the Board of Trade & Plant^s Why Some Other Bills were refused; hoping in few days more to recover the Packet Sent over by Pet^r Seamons Esq^r from the Council in N. Jersey, which, by the Death of the Gentleman to whose hands it was intrusted to be delivered to M^r Dockwra the Prop^{rs} Secretary has occasioned this loss of time.

Another Bill is past for Support of Her Maj^{ties} Governm^t to the value of £944 and £300 for the Assembly for One Year, New Currency; And the Same for the Next Year if the Gov^r Shall continue So long among us But, in Case He should die, or be recalled before that time, then He or His Exec^{ts} & the Other Officers of the Governm^t are to recieve their Salary, only to the time of his Death or removall from the Governm^t and what remains is to be lodged in the Treasurers hands to be disposed of by Act of General Assembly; Which is contrived to make all Governors and Other Officers Tools to the Assembly, or elce they Shall have no Salarys for, say they, Wee know not who may be Gov^r next, perhaps One that is no friend to the Quakers & Doct^r Johnstone &c^a whether this can be called a Revenue, or Something elce, I care not to name but You will easily Judge.

The Governor assured the Assembly that Collonel Morris was Presid^t of Her Maj^{ties} Council by Her Particular Letter; And they Soon after Order'd All

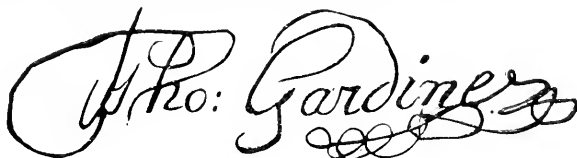
their Bills to be delivered to M^r Morris as President, who brought them afterwards to the Gov^r this was Opposed by the Majority of the Councill but to no purpose, the Governor declaring the Assembly must be humoured. Indeed the Greatest Care Imaginable was taken not to displease them, but to allow them their head in every thing.

As for the Councill, as little regard was had for them (except Morris Gordon Gardiner & Deacon) as possible, nay less than during my Lord Lovelace's administration: Howsoever, Notwithstanding all the Affronts wee met with, all the hardship wee lay under, Wee lost not a Jot of Our Courage, but did what was Our Duty to Our Queen & Country here; It is true, the Quakers & ther Adheerents in the Assembly revile us, but the Greater part of the Country thank and Com'end us, And Wee are not out of hopes of Her Maj^{ties} Countenance and Protection, for without it Wee must all be crusht, and Sink under the weight of a Quaker-Arbitrary Assembly, than which Nothing can be more Intolerable to the English Men, & true Members of the Church of England by Law Established.

M^r Gardiner is to be Our Surveyor Generall if he is not already.¹

¹ THOMAS GARDINER, the father of the one named in the text, was among the first settlers of Burlington, arriving with his wife and children in 1678, and bringing with him considerable property. It is presumed that he was a brother of Peter Gardiner, a prominent Friend, who resided near Castle Hedingham, in Essex, England. He was elected a member of the first provincial Legislature that sat at Burlington in 1682; and filled the positions of Commissioner for dividing and regulating land, Judge of Burlington County Courts, Treasurer of the Province and one of the Governor's Council with credit to himself and to the satisfaction of the people. He died in 1694, leaving a widow and several children. Thomas Gardiner, mentioned

in the text, was one of his sons. He married Hannah Mathews and resided for some years at



Woodbridge. He was a practical surveyor and one of the Judges of Gloucester county. After the death of his father he removed to Burlington, and notwith-

M^r Gordon is Deputy-Treasurer under Johnston Billop & Bradford.

Billop has a Commission to be Escheator Generall.

Captain Farmer is made a Collonel & Judge of the Pleas in Middlesex and Somersett, in the Room of M^r Sonmans, where there is likewise an intire new Sett of Justices.

Collonel Pinhorne is removed from being Judge in Bergen, & Fferry Morry in his Place.

Cap^t Bown is out in Monmouth, & Coll Morris first Judge in his Stead.

Doctor Johnstone is Second Judge.

Major Spicer, who went on the Expedition to Canada, is Superseded by Justice Tomlinson in Gloster County, & One Townsend a Quaker made Judge in Cape May County.

In Short the Greatest part of those put in by Earl Clarendon and Collonel Ingoldesby, are turned out of Commission & Severall Quakers, and Men recom^dended by Quakers, put in.

Collonel Townley is lately dead, in Whome the Honest Part of the Councill has Sustained a Great loss.

Collonel Huddy is no more my Lieut^t Collonel he is So Uneasy at a Prosecution Order'd ag^t him for a Monopoly, on acco^t of the Patent E^t of Clarendon granted him about Setting up His Invention of Carriages for Conveying Goods through the Province, that I believe if it is not Speedily Stopt, He will leave the Province, which I should heartily regret, he having been at a Vast expence in bringing matters to such a Perfection.

As to my Self, I have dropt some words since the

standing the difficulties encountered when he would have entered upon his duties as Surveyor General of West Jersey, he appears to have filled the position for several years with satisfaction. He was also, for several years, a member of the Council and Treasurer of the Western Division and after the union of the Provinces in 1703, the Speaker of the first Assembly. He died at Burlington in 1717. Smith's New Jersey, p. 209. Clements' First Emigrant Settlers in Newton Township, Gloucester, p. 353.—Ed.

rising of the Assembly as if I designed for Brittain, which has Occasioned not a little Uneasiness to some People.

I had like to have omitted informing You, that the evening before the Assembly was Prorogued, they delivered the Governor a Representac'on of the State of the Province (as they call it) containing 32 Pages close writt Penn'd by Coll Morris & the non-Juror George Willokes; Doctor Johnstone read a [it ?] to Him, the Assembly & Severall Other People being Present, but not one of the Councill except M^r Morris; & as I am told by Some of the Assembly; his Answer was He would represent the Matters to the Queen, & doubted not but She would take Such Measures as would give a Gen^l Satisfaction. It contains (as Some Honest Assembly Anti-Quakers assure me) the most Scandalous and Villainous Reflections on the E. of Clarendon & His L^{ps} Administration that could be invented. So bad, they avoided nameing many of them. Severall Pages are writt ag^t His Lo^p & Coll Iogoldesby is likewise miserably traduced, and the late Chief Justice Mompesson, Collonel Pinhorne, Townley & Huddy, M^r Sonmans, M^r Hall & my Self, if you'le believe 'em, are some of the worst of men—Two Hundred Coppies I hear have been printed but, Since the News of the happy change of the Ministry, & the Good agreem^t bet'wixt Her Majesty and the Parliament; they were Ordered out of BradFord's, the Printer's hands & I understand wee here are not like to have a Sight of them.

It is talkt abroad, as if Something like Scandahum Magnatum against his Lordship in that Representation, had terribly scared Some People; And I believe the fear of that, Joined with the change of the Ministry &c^a keep it So private; Some here are of opinion it will be sent for Great Brittain by the Governor to some of his friends if not more Publickly; the first part I believe, though scarce the last; Yet no body doubts, but

Collonel Morris & Doct^r Johnstone will send Coppies to S^r William Ashurt Michaiah Perry, my Lady Lovelace; And the Jersey Society.

I just now hear a Report (but how well-grounded I know not) that what concerns the Lord Clarendon is to be omitted, & the Remainder ag^t Collonel Ingoldesby, and the Councill to be exposed.

I cannot forbear mentioning one thing more, which a Gentleman assures Me to be true, & is as Great a piece of Knavery as can be imagined; The Assembly in their Representation Say: that when Collonel Quarry Signed that Address (meaning that ag^t Morris, Jennings &c^a) Wee believe he was Misled, and depended too much on the credit of Others; for he has since (they say) very much declined from Joyning with them, in many of their Hott & Rash Humours, and doth at present behave himself like a Man, that doth intend the Service of The Queen & the Good of the Country. This was to make the Councill Suspicious of Collonel Quarry. And to compliment him out of his design of exposing their Proceedings at home. Collonel Quarry thinks himself highly affronted & injured on this Occasion; their Intention (as he imagins) being to make him both Knave & Fool; And he has often declared to Me, this Assembly was One of the Worst he ever knew, that, as far as he could percieve, there was Nothing So bad, but they would attempt; if they thought it would injure any of the Councill, that were not their tools, declaring he was Sick of them, & Resolved never to see 'em again

M^r Sonmans has lately procured Some heads of this Famous Representation which he will transmitt to you; what I have seen are entirely false or miserably misrepresented. Judge Mompesson is turned out, & one Jemmison a North-Brittain, who lives at N: York is Chief Justice in his stead in this Colony of N. Jersey; the Man & his Morals are too well known.

M^r Regnier in imitation of the Assembly forbears not according to his Usual custome, to make out writts ag^t the Gentlemen of the Councill: and but a few dayes since, Sent one to the Sheriffe of this County, to arrest M^r Huddy for £20, which he pretends is due to one Gomez a Jew in N. York: though in November term he had filed a Declaration ag^t him for the very Same Money, and M^r Huddy had put in his Plea to it; And, wee are told by Some People, that the Gentlemen of the Councill have no Privilege at all tho' an Assembly-Man, or an Attorney of the Court has.

Collonel Morris is made Second Judge of the Supream Court, and Thomas Gardiner & George Deacon both Quakers, Assistant Judges.

The Governor of Pensylvania having past an act of Assembly, whereby a Solemn Protestation is to be taken, (the Name of God being Omitted,) instead of the Solemn Affirmation appointed by act of Parliament, has Occasioned Addressés from Severall of the Ministers & Vestry's in that Colony to the Queen ag^t passing y^r Bill And Our Minister & Vestry of Burlington have done the Same.

Wee are now in a much worse Condition than if Im'ediately under the Governm^t of N. York, for most of Our Officers live in and belong to that Province. Yet wee must pay them.

M^r Morris The President of Our Councill, who is also Judge of the Pleas, in the County of Monmouth lives an Inhabitant of New York; Our Chief Justice, who has not One farthing Interest in the whole Province, Our Reciev^{rs} Generall, Our Treasurers and their Secu-rities, Our Escheator Generall M^r Joseph Billop, who has likewise no manner of Estate here; Our Auditor Generall the like; And Collonel Farmer the Judge of this County, Doctor Johnstone—Second Judge of Monm^o County; Bradford the Clerk and Printer of the Assembly, all live in New York-Government; and, of

those that reside in this Province, all the North-Britains that can be found, though never So Scandalous are preferred. And next to them the Quakers; So that the few tolerable Officers will not Act, or be concerned with them.

You will by this Easily perceive the Miserable Condition of this Poor Province, how far we are from being reconciled or agreed; *And I see no Prospect of Amendm^t while the Gov^r of New York is Governor of New Jersey*; And Wee labour under the dead weight of the Quakers.

Now if the Councill was Purged of M^r Morris, who has ever been Ringleader of the Seditious. M^r Deacon, M^r Gordon, and M^r Gardiner; And, the Quakers kept close to the Indulgence the Laws allow them, but not permitted to bear any Offices, much less to sit either in Councill or Assembly.

And then the Vacancies in the Councill filled up with Honest Well-Meaning Men, Such as John Bown, Cornelius Longfield, and Charles Duncan for the Eastern; and Daniel Leeds Jacob Spicer &c^a for the Western Division, I beleive this Province might be easily Settled. but if the two Vacancies now in the Council viz^t Major Sandford and Coll. Townley are supplied with Quakers or Others of the Confederacy in their Interest, as at the last time, and Such I have no doubt the Governor will recom^d, I doubt the County [Country?] will be ruined.

[Rec'd p. M^r Dockwra 14^o June 1711

Rec^d at y^e Hon^{ble} board of Trade 13 July 1711 p^r M^r Popple the Sec^r]

*Address of the New Jersey General Assembly to the
Queen, Tendering their Support.*

[From P. R. O. America and West Indies, Vol. VI.]

TO THE QUEENS MOST EXCELL^T MAJESTY

The humble Address of your Majesty's Loyall
and Dutifull Subjects the General Assem-
bly of your Majesties Colony of New Jer-
sey.

Most Gracious Sovereign

THE great Preparations your Majesty has made for the Reduction of Canada is a Demonstration that the Remotest of your Dominions are not Exempted from Your Royall Care; and that the benefit ease and safety of your Subjects where ever they are as they are the good Effects of your Administration, So they are what Your Majesty most chiefly Studies to promote, which cannot fail of Engaging the favour and Assistance of heaven to make you always Victorious, and will procure you a just ffame as lasting and as Glorious as the Trophies gain'd by your Triumphant Arms can Entitle you to.

Our Duty and the Share we shall have in the com'on Security of North America, engages our Thankfull Acknowledgm^t for Your Majesties ffavours. And as we have with great Chearfulness contributed to the very utmost of our Abilities to it,¹ so wee Shall most readily and most willingly Support Your Majties Government and Study to do it in Such a manner as shall be most agreeable to you. espetially now wee feel the happy Effects of it in the Prudent Conduct of your

¹ Equal to £5,000, currency. — Ed.

Majesties faithful Servant his Excellency Robert Hunter Esq^r our Governour. God give Your Majesty many Days and may those days be happy, is the hearty Prayer of

Your Majesties Most Dutiful Subjects

Die Lunæ 16th July 1711

By Order of the House

JOHN KAY Speaker.

*Letter from Governor Hunter to Captain Cox—about
Dispatching Troops to Albany.*

[From the N. Y. Col. MSS., LVI, p. 2.]

S^r

It is high time the Levys for the present Expedition were on their march and that I may discharge my promise to them and Enable them to to marche, I have ordered the Treasurer of your division to pay to Each voluntier you shall certify to have entered in this Service the Bountie I promised them and to give them a shilling a day apiece for their Subsistance on their march in lieu of provisions.

I desire you to hasten them to Amboy wth what speed is possible where their Clothing, Accutrem^{ts} & Arms lye ready for them and where vessells that be sent to transport them.

CAPT COX—

I am &c.

*Letter from Colonel Thomas Farmar to Governor
Hunter—about Supplies for the Troops.*

[From N. Y. Col. MSS., Vol. LVI, p. 10.]

Amboy July 31st 1711

S^r

I rec^d Yours y^r 20th & 30th Instant by Kirlon but Know of no Salt provision to be had in these parts for

I have made Inquiry about it Except about 400 lb of Smokt Beef that M^r Rudiard has w^{ch} hele take with him for his Company therefore there will be a nesesety for Sending down as much as will serve them on their passage to Albany. The two Cap^{ts} has got between 70 & 90 men between them & would I belive have fild their Companies by this Time If they had not bin disapointed in Essex and bergen by the Companies Not meeting the begining of this Week as was Expected but however I belive they will be redly to Imbarke y^e begining of ye next week here will be Sloops ready for them then What they do in y^e Western division I know not but If they Get as many men there as here there will be more Clothes & arms Wanted pray S^r Give my humble Duty to his Exce^{ll} & belive to be,

S^r Your Most Humble Servt.

THOS. FARMAR.

I have sent 400 pounds in bills to M^r Gardner at Burlington.

*Letter from Governor Hunter to Colonel Cox, about
Discharging Volunteers.*

[From N. Y. Col. MSS., Vol. LVI., p. 12.]

S^r

I have the favor of yours of the 3^d Instant which tells me of a Petition sent to me from Philadelphia I have reced it indeed but Cannot do anything therein for its neither in my power nor for the Service to dismiss the Voluntiers nor is Col Gookin very solicitous about it. I desire you'l send the deserter to Amboy to be delivered to the Sheriff of that County the Charge whereof I will pay and direct him to send him in safe Custody hither.

I will Endeavor to make Capt Strangeham and his officers as easy as I can I hope to see him wth his men here before I goe for Albany which will be in 2 or three days I am

S^r very humble Servt,
RO. HUNTER.

Col. Cox.

*Letter to Colonel Farmar, at Perth Amboy, about the
Movements of His Troops.*

[From N. Y. Col. MSS., Vol. LVI, p. 18.]

S^r

His Excellency Desires you to let yo^r Troops Come hither as soon as possible because he would see them before they go up and here they may have their victuals and those who want it Clothes if you have not engaged Sloops for Albany they may go from hence in Bateaux I hope you will hasten them for his Excellency will go up the Beginning of the Week I am

S^r Yo^r Most humble Servant

New York August 3^d 1711.

Letter from Governor Hunter to Secretary St John.

[From N. Y. Col. Docts., Vol. V, p. 352.]

[Extracts.]

New York 12th September 1711

Sir

What past in the two Assemblys which mett y^e one at New York y^r 2^d of July, the other at Perth Amboy y^e 6th the Journalls of Councils and Assembly's of both Provinces mark'd C. will amply inform you.

The Assembly of New York raised ten thousand pounds [for the Canadian Expedition.]

The Assembly of y^e Jerseys raised Five thousand pounds for this service to be disposed on by me, as y^e minutes will informe you; I imployed all hands and arts for levys there, and with some difficulty found at least neare upon two hundred volunteers. In short before y^e end of ye month, I had the troops levy'd, clothed, accoutred and victualled and upon their march for Albany, had ready made 330 batteaus, capable of carrying each six men with their provisions * *

You are pleased to lay yo^r commands upon me to take into my thoughts the whole state of y^e Brittish interest in these parts. I am highly sensible of y^e honour you doe me, and at y^e same time of my want of capacity to think much to the purpose on soe great a subject, which indeed deserves and requires the thoughts of the greatest councill in y^e realme.

That it is in a bad state the frequent tumults in all parts and y^e generall aversion to y^e support of government in most, are sufficient indications. What you are pleased to hint of putting all North America under one uniforme plan of government would most certainly be a sure remedy; but I am afraid it is too lingering a one for y^e present exigences: The purchasing proprieties and takeing away of usurpations being a work of time and trouble. The Proprietary Governments which were modell'd according to y^e humours of their respective Proprietors consist of y^e Governour and y^e Representatives, the Council in most being a mere cypher, haveing no share of y^e legislature: by which meanes y^e Governours depending upon y^e good will of y^e people for their dayly bread, have beene obliged to make such concessions and past them into laws, that if these governments be purchased and continued upon the foot they now stand, her Maj^{ty} pay deare for much trouble and noe dominion. This is

y^e plan of the government however they all aime at,
and make noe scruple to own itt.

* * * * *

I wish it were in my power to doe for M^r Harrison as he deserves and I cou'd wish. There is one imployment which is imediately in yo^r owne, that is, y^e Secretaries place of y^e Jerseys: M^r Bass the present Secretary being soe obnoxious a man and indeed infamous that I cannot believe her Maj^{ty} will be induc't to keep him there, after the representations I have made ag^t him: There is another since M^r Keile has given over thoughts of returning hither, which is, Surveyor Generall of ye Customes in these parts, M^r Brushfield [Birchfield] who is possest of that place being gone for England and demeaned himself in such a manner whilst here that I can hardly be perswaded y^e Commissioners of y^e Customs will send him back hither againe

* * * * *

I am Sir

Your most faithfull, most
humble and obed^t Serv^t

Ro: HUNTER

Letter from Governor Hunter to Jeremiah Basse Secretary, &c.—about Commissions for the Supreme Court Judges.

From N. Y. Col. MSS., Vol. LVI, p 136.]

New York Oct^r 22^d 1711.

Sr.

I Returne you y^e paper sealed wth proclamation which I desire you^t Cause to be published forthwith to make out and send me to be Sealed by y^e Returne of this Post two Comissions for Judge of y^e Supream Court one in y^e name of Thomas Ffarmar Esq^r and

y^r other of John Reading Esq^r and also a Ded: protestatem Directed to David Jamison Esq^r to Swear them, the time of sitting for y^e next Supream Court is drawing on apace. Soe that you will perceive that there is a necessity of yo^r Dispatching those things that I may have them on Saturday next Iam

Yo^r humble Servt.

To Jeremiah Bass, Esq^r

Ro: HUNTER.

Memorial of New Jersey Proprietors in England to the Lords of Trade—about the disputes between the Council and Assembly of New Jersey.

[From P. R. O. B. T., New Jersey, Vol. I, C 110.]

The Memoriall of the Proprietors of New Jersey to the Right Hon^{ble} the Com^{rs} of Trade & Plantations. Dated 7th Nov^r 1711.

TO THE RIGHT HON^{BLE} THE LORDS COMMISSIONS^{RS} FOR
TRADE & PLANTATIONS.

The Memorial of the Proprietors of the Province of New Jersey.

Humbly Sheweth,

That by Severall Letters from thence they have received Advices of the Great Disorders and Confusions there amongst the people in Breach of the Peace and quiet of the Province and preventing the Prosperity thereof.

That the Causes and Springs of these Disorders are largely Sett forth in a Representation of the Assembly of the Province to which the Proprietors humbly desire to referr.

That they have often laid before this Hono^{ble} Board

particularly in their Memoriall of the 26th Nov^r 1709, That the Continuing M^r Daniell Cox. Peter Sonmans and others (therein mentioned) in the Council, tended to promote those factions and Divisions, and prayed that they might be left out, and men of Justice & Temper nominated to Succeed them

That Matters are now Come to Such a height that unless Some Speedy Remedy be applyed, the Proprietors Interest will be lost, and the Province brought to utter ruine.

For preventing therefore these ill Consequences the Proprietors do again humbly apply to this Hono^{ble} Board That the Said Daniell Cox Peter Sonmans and also William Pinhorn Hugh Huddy and W^m Hall may be left out of the Gov^rs Councill, and that Jeremiah Basse who is Notorious for many ill Practices may be dismissed from the Office of Secretary of the Province and their places Supplied by Such fitt persons as to yo^r Lordships great Wisdom shall seem meet

Jn ^o Norton	J Dominique
Joseph Ornston for	E Richier
himself & by procuracy	Jn ^o Bridges.
for George Willocks.	Cha ^s Michel
Char: Dunster	Fra Michel
John Whiting	Rob Michel

*Letter from Governor Hunter to Jeremiah Basse,
Secretary, &c.*

[From N. Y. Col. MSS., Vol. LVII. p. 3.]

Sr,

M^r Gardner having represented to me that for want of his being Sworne Surveyor Gen^l to the Proprietors of the Western Division of New Jersey some Inconveniencies have arisen whereby And desiring me to direct you (who have a Generall Com^{ss}) to Swear him

I think his request very reasonable and I doe hereby direct you to qualify him for that office that no further inconveniencys may happen by the neglect of it.

I desire you likewise to make out Commissions for the underwritten persons Edward Earle Shinar High Sheriff of Bergen County.

John Cooper, High Sheriff of Essex. John Campbell of Amboy High Sheriff of Middlesex and Somerset County.

John Barclay Clerk of Middlesex & Somerset County. Henry Leonard Sheriff of Monmouth County Thomas Holks Jun^r Sheriff of Burlington County. I will send you the names of the other Sherriffs for the Ensueing year I am S^r

New York Y^r very humble Servt
Nov. 25th 1711.

*Letter from Jeremiah Basse to Governor Hunter,
Relating to Surveys.*

[From N. Y. Col. MSS., Vol. LVII. p. 8.]

Burlington the 29th Novem 1711.

May it please Your Excellency—

S^r—I Received Your Excelley. of the 26th instant and have made out the Commissions according to Your Excelley orders. M^r Gardiner hath not as yet been with me to take the oath and think it my duty to acquaint your Excelley. that before I Received your Eccellen^{cy} Letter there was a Caveat entered against him as Surveyer General by Col Coxe a Copie which I have sent your Excellency & shall waite your Excellen^{cy} pleasure therein as I acquainted Your Excellency that M^r Gardiner and others were dissatisfied with M^r Leeds Serveys & have Caveated the entry soe I must likewise informe your Exc^y that severall persons that

have had lands serveyed by Mr Leeds are very much displeased they Cannot have them put on Record they thinke that they are as Equally entitled to have them Entered as Mr Gardiner or any other & look upon it as matter of property which the Court of Juicature Can determine this Controversary may it please your Excell— hath been no new thinge Since in the time of My Lord Cornburys administration this was an order of his Lordship in Councill Dated the 20th May 1700 to the Attorney Generall to presecute Thomas Gardiner for Pretending to be a Surveyor Generall of the Western division of this province producing any authority for soe doing on this Mr Attorney Gen^l filed an Information against him to which he appeared in Court but before it came to tryall on Some application to Col Ingoldesby he sent a note * * * to the Attorney Generall on which Mr Attorney Generall by an order to me of the 24th Oct^{br} 1709 put a stop to all proceedings. Since which time Surveys coming to the office either from one or the other of them have been entered without Scruple till this New Caveat unless in some particular Cases where a Prior Survey of the same lands has been alleged I have thus given your Excellency a short accot of the matter which I must leave to your Excellencys determination onely I begg leave to add that if either the one or the other doe act irregularly in their Surveys the Law is open and the person agreived may without much difficulty be righted & there is little danger, but when it comes to a Jury their owne interest will obleidge them to be Carefull how they Give their verdict I begg your Excellencys pardon for what I have writt and that you will esteame me to be may it please your Excellency

Your Excellencys most

affectionate & humble Servant

J. BASS.

*Letter from Thomas Gardiner to Governor Hunter.*¹

[From N. Y. Col. MSS., Vol. LVII., p. 23.]

Burlington, Decem^{br} ye 11th 1711.May it Please the Governo^r

I hoped I should not haue Gaue ye Gover^r any further trouble Consarning my being Quallified as Surveyor Gen^l nor Indeed had not but Secetoary Basse takeing on him to Interperit the orders the Gover^r Was pleased to Direct him by to Quallifie mee as Such, first tell ye next Day I belue hee had not tell then his full Instructions how to actt I here y^t night they had a meetting &c; soe Next Morning I came againe & then hee tooke mee to the Attorneys & After some small time possitiuely Refuysed Except I would take the Oathes, the Which hee knew I Could not doe, And I Deseired him to Quallifie mee y^e same Way as hee well knew I had Don severall times to serue in Gener^l Assembly & Now as a Member of her Majesties Counsell I alsoe aded that hee knew had hee not taken the Dedemus & Rowles [rules] home from the Gove^{rs} house it had not been then to be Don, and further Where hee Belined had it then been Don Were y^e Gover^r Would Refuysed mee for not Swereing to Which with a short answer told mee hee Did not know (nor) belue (con^{tr}) how Euer all would not prevaill With him to Obay y^e Gover^{rs} orders hee Gave more Regard to the orders of some other here away, the truth of all is both hee & Coll Coxo Knew I will not Run on Land Knowing ye same to be formerly Surveyed to Oblidge & Gratifie any person how Great

¹ This letter is printed as furnished from the New York Colonial Manuscript at Albany, but from the estimation in which Thomas Gardiner was held for his intelligence and ability, the Editor is not willing to consider him responsible for the many errors in orthography and diction which it contains.—ED.

Soever as Daniell Leeds Doth frequently doe & hath Don in Several places & Basse Resevd them & Say lett ye owners try for it, Nor Indeed Can they as much as hope I licke [like] them Shall act Contrary to all our former and p^sent Rulls such as hath been Estab-lished from the first Settelling of this C^ountry and allowed both by y^e proprietors here & att home & Euen Docttor Coxe himselfe tooke vp noe Land as I I know of but by the same authority, althow his Son now Indever to Destroy it, I shall not further enlarge the Gover^r may better Inform him selfe by another from y^e C^ounsell of propriet^{rs} them selues Which Cometh herewith, I here of a Large Written Instru-ment Carried about by Leeds to gett Subscribers it is all Ready subscrib by Coxe Simmonons and a pretty many others of their Interest allthow Some Repent as hath don it I know not Well What it Containe I here the Gov^r is mentioned in In it and my Selfe I had ye Information from Some as was perswaded to Signe but would not When I Can be fully Informed If any thing in it Consarne ye Gover^r I shall advise accord-ingly I had written by ye Last post but tell Satterday a lettell befor Sun Sott I gott my Letter & next Day ye post Retoorned soe Could not, I pray the Gov^r to pardon this trouble and hee will f^urther oblidge him Whoe is With all Due Respects the Gover^r Reale & sencere f^rend to serue him In What I may

THO: GARDINER.

I am told Just now that Basse hath been & Swore to ye Grand Jury that hee had tendered mee ye Quallifi-cation as Survey^r Gen^l & I Refused What hee Intend by it time will make it appeare (Decemb^r ye 12) this I thought Good to advise y^e Gover^r as hee may see What is in hand & how fare is C^ommands is obeyed

Protest of Daniel Leeds and others—against the Proceedings of the Council of Proprietors of West Jersey.

[From N. Y. Col. MSS., Vol. LVII., p. 25.]

Whereas, we whose names are here underwritten Proprietors or Purchasers of our Several Respective Shares and Rights in the Western division of New Jersey haue with many other our fellow proprietors of the s^d Western division here in England and elsewhere for many Years last past Groaned vnder the burthen of a dispotical uncontrolled power exercised by a perticuler set of men Stileing themselves a Councell of Proprietors for the Western division of New Jersey who have taken upon them to Inspect and Judge of mens titles allowing or dissallowing them according to their owne humors with out any Regard to the known laws of England or the rights of their fellow proprietors and haue Contrary to the Said known laws and in Contempt of her Majesties Authority taxed the Subject by demanding and taking several Sumes of money from them under pretence of paying for Warrants to Lay out Land and Recording them & [. . .] a Common Seale Chuse officers and enter their on [. . .] Registers and Actuaries as if they were a body Corperate and politiq in perpetuity [. . .] Warrants to Survey land directeing them to their pretended Surveyor Generall or his deputy impowering him to take up any land not legally surveyed thereby asumeing a power to appoint their Surveyor, Judge of what land is legally taken up and surveyed and what not. All which with many other things of the like nature tend to the dishonor of her Majesty and her Government to the disturbance of the publique peace of the province and to the destruction of the property of the Subject. Wherefore we in behalfe of

ourselves and many other our fellow proprietors for preserving our Just Rights and Property to our severall and Respective shares of land of the said Western division of New Jersey doe in the best manner and [. . .] We Can disowne and prefect [protest] against all the said proceedings of the said pretended Councill of proprietors disowning their authority and Regarding them onely as private persons who can take up and dispose of no more then their particular shares of land and this we pray may be entered upon the publiq Records of the province in the Secretary's office. Daniell Leeds, John Woolsson Abraham Hewlings John Gosling, John Woolsson Jun. Samuelle Woolsson * * * Leeds, Philo Leeds, Sam^l Gooldy Jacob Sebering J. Pinhorne John Halgard Jacob Hewling John Cramer Samuell Potter Japhet Leeds.

December the 5th 1711.

I Thomas Gardiner Surveyor General of the Western division of New Jersey doe by these presents forbid & desire that no Survey or Returne of Survey whatsoever made and Returned by any Surveyor that may pretend any authority from me or otherwise to be entred on * * * only such as shall be Signed by [me] untill the matter be heard and determined by the Governer in Councill whereof I pray due observancy may be had,

THO GARDINER Sur. Generall.

Mr. Secretary Bass

I do hereby Caveat against Thomas Gardiner his being sworne or asserted Surveyor Generall till he has the Consent of me as a proprietor and the rest of the proprietors in Generall and also against all Surveys

being Recorded that are or shall be Returned by him or any other Surveyor which is not qualified According to the Queenes instructions and that of Parliament.

DANIEL LEEDS

Dated 12th Dece: 1711

*Letter from Jeremiah Basse to Governor Hunter—
about swearing Thomas Gardiner into office.*

[From N. Y. Col. MSS., p. 26.]

May it please Your Excellency,

Sr.

Since my last to your Excellency Mr. Gardiner has been with me to qualify him as Surveyer Generall of the Western division of this province I acquainted him with Col. Coxe Caveat that I had sent a Coppy to your Excellency & waited Your further orders after Someother discourse M^r Attorney Generall being present I told him of the order I had Recieved from Your Excellency to swear him on which I asked him if the Caveat was dismissed whether he would take the usuall oaths &c: he told me no but that he would take an attestation: I told him had no orders but to swear him & the dedimus I had Received gave me no authority to administer an attestation to [. . . ? . . .] qualify for an office of profit. Since the act of Parliament that admitted the Quakers sollemn afiramation did perticularly provide against it he aserted that it was your Excellencys intentions that he should be admitted on an afiramation which I thought he was mistaken in [. . ? . .] your Excellency had we plainly explained yourselff by using the word [. ? .] Swear he told me he should Complaine of the delay I gave him which since it had no better foundation then because I would not satisfie his humor against your

Excellencys orders & the known laws of the land I was very little solicitious about: Inclosed I send Your Excell'y a Coppy of a paper I Reced from him and another Caveat from Mr Leeds with a paper delivered to me by Coll Coxe all which are submitted to Your Excellencys Judgement I received by the last post the Proclamations for the further prerogation of the Assembly which I published and shall take to send to the Severall Sheriffs by the first opertunity I begg the favor of your Excellency to Seale the Enclosed Coppys of Wills & that you will believe me to be

Your Excellencys most humble and
affectionate Servant

J. BASSE.

*Letter from Governor Hunter to the Lords of Trade,
about Changes in New Jersey Council.*

[From P. R. O. B. T., New Jersey, Vol. I. C. 122.]

Letter from Colonel Hunter, Governor of New
Jersey, Recd: 10 April 1712 Ex^d

New York 1st January 1711—[1711-12]

My Lords.

This Letter Serves to Inform Yo^r Lordps of the Affairs in the Jerseys, Which will not give Yo^r Lordps much trouble, All matters being in Suspense there till her Maj^{ties} pleasure be known concerning those Gentlemen of her Council mentioned in my former, I venture to promise an Intire Settlement both as to her Maj^{ties} Interest and the Animosities in the Country Soe she'l be pleased to Remove Daniel Cox, William Pinhorne Peter Sonmans and William Hall Esq^r from that Board, M^r Pinhorne has not thought fitt to Attend

the Council Since y^e Assembly at Burlington. and Mr Hall has been the Cheife promoter of an Address from the County where he lives of a very Extraordinary nature, a Copy of Which I herewith send Yo^r Lordps Mark't F: the Consequences of Which have been that little or noe Taxes have been paid by that County and I very much doubt Whether any will be paid without some Extraordinary Measures to Compell them.

As to the Supream Court there I found it necessary to displace all the Gentlemen of the Council of both Sides from being Judges Assistants, and to place others of known Integrity and Reputation in their Room, their being, soe being noe part of the Institution of the Court and holding these places only by Special Commission from the Governours this was the only method left to Obviate Confusion in that Court, Where all matters were in danger of being determined more by Spirit of party than Rules of Justice, And also to Restore the people to the benefitt of Appeals of Which they might be bereaved by the number of Assistants on the Bench leaving noe Quorum to determine in the Appeale, Such by my Instructions haveing noe Vote there.

If Yo^r Lordps Approve of y^e Method of Opening the Court of Chancery in New York I shall be under a necessity of doeing it by a Proclamation in the Jerseys despairing of ever Obtaining the Advice and Consent of that Majority in Councill there as they now Stand, Or any Advice for Opening such a Court, there being nothing more Dreaded by that Sett of Men than a Court of Equity not without Reason.

I am with all due honor and regard My Lord
Your Lordships most humble and most obed' servant

RO: HUNTER.

*Letter from Governor Hunter to the Lords of Trade,
Asking for Action in Relation to the New Jersey
Council.*

[From P. R. O. B. T., New York No. 13, A a 102.]

Letter from Colonel Hunter, Dated the 1^o
March 17¹¹₁₂

My Lords

[Extract.]

* * * * I must again Beg your Lordships to signify her Majesty's Pleasure Concerning the Gentlemen of the Council of Jersey whom I Desired to have Removed from that Board, for by the means of some of them the Taxes in many Countys are now in very Great Arrear, & I fear the Influence they have had on these will have very Pernicious Effects on the rest, & whilst they Continue in their present Stations I can Propose to my Self very Small Hopes of Effecting any thing for her Majesty's Service.

Your Lordships may Guess at my Uneasiness, having heard nothing from your Lordships Since last Summer. * * * I wait with Great Impatience for your Lordships Commands & Am with All Imaginable Honour & Regard

My Lords Your Lordships Most obedient

and most Humble Servant

RO: HUNTER

Letter from Jeremiah Basse to Governor Hunter.

[From N. Y. Col. MSS., Vol. LVII, p. 137.]

Burlington the 10th April 1712

May it please Your Excellency

S^r I thinke it my duty to acquaint your Excellency that this being the day that the Gentlemen that call

themselves Proprietors of this division anually are accustomed to meet to chuse what they Call a Councill of Proprietors there were about thirty mett at the house of Captain Allison & after time they proceeded to Elect five persons to take [care] of the Concernes of the Proprietors in this County and the Choice by a very great majority fell on Coll. Coxe John Wills Peter Fretwell Thomas Stevenson and Josua Humphreys M^r Merry was put up by M^r Gardiner but had not above three or four votes as I saw after the Election over Coll Coxe told them that since that [they!] had made Choice of him to be one of them that are to manage the affaires of the Proprietors for the ensueing Yeare he should soe far accept of their choice as to doe what ever he Legally could for their service & should on his Endeavor for the Obtaineing a law to settle their estates and to enable them to doe anything tending to that End which they perhaps now might not be authorized to doe. Some one person in the Company saying that he hoped since they were so unanimously Chosen that they would take care [not to?] loose any power that Custome might have given them or some such words the Collonell againe Replied that he should Endeavor to answer the trust they Reposed in him in doing Every thing for their Service that the Law would warrant. * * * * * Beleive me to be

Your Excell^y most Affectionate
humble Servant

J. BASS.

Persons Recommended to Fill Vacancies in the Council of New Jersey.

[From P. R. O. B. T., New Jersey, Vol. I, C. 114 and 115.]

Memorial from M^r Richier Vice President of
the Society of y^e Proprietors of New Jer-

sey, recommending 6 persons to be of the Council of that Province.

London ye [12th] May 1712

At a meeting of y^e Proprietors of y^e Province of New Jersey Upon reading over y^e Names transmitted from thence to the Right Hono^rble y^e Lords Comm^s for Trade & plantations for their Lordsh^{ps} to make choice of Six Persons to Supply y^e places of five men in y^e Council complain'd of both by y^e Assembly there & y^e Proprietors here, viz^t W^m Penhorn: Peter Summans in y^e Eastern Division, & Dan Cox Hugh Hoddy & W^m Hall in y^e Western, & one viz^t Richd Townley lately dece'd in y^e Eastern It is most humbly propos'd by y^e Said Prop^{rs} y^t y^e Persons underwrit may fill up y^e intended vacancies being men of Substance & probity recom^eended both by y^e Govern^r & Assembly of y^t Province & approv'd of by y^e Proprietors here. And y^e said Prop^{rs} do make it their humble request to Paul Doeminique Esq^r President of their Society y^t he would represent This to ye Right Hono^rble y^e Lords Comm^s &c that this may have y^e needfull dispatch given it; being well assured y^t if it be much longer delayed her Maties interest as well as y^t of y^e Prop^{rs} will Suffer very much by it & y^e province brought into y^e utmost confusion

Signed by y^e order of the said Proprietors

E. RICHIER V P

In y ^e room of	{	W ^m : Pinhorne - John: Anderson E
Western Division		Peter Sonmans- W ^m : Morris E
Eastern		Richd Townley Elisha: Parker E
	{	Dan: Cox - - - John: Hamilton W
Western		Hugh Hoddy - Tho: Byerly W
		W ^m : Hall Jn ^o Redding W

Names and Characters of 6 Persons, recommended by M^r Doeminic to supply Vacancies in the Council of New Jersey.

John Anderson	{ both inhabitants in Pirth Amboy,
Elisha Parker	
	very large Trader's, and Old Planter's, and men of the Best Estates upon the place
W ^m Morris,	A man of an extraordinary Character, as well as Master of a good Estate
John Hamilton,	Postmaster Gen ^l of North America
Tho: Byerly	a Gentleman of the best Estate in the Country & in a Publick post.
John Reading	I have not yett mett w th any body that personally know's him tho' hee is transmitted by the propriet ^{rs} from thence as a man fitly Qualified for that post &c

My Lords

Seeing you vouchsafe'd mee the favour to nominate & recomend the above S^d Persons to be placed in the Councill in the Roome of those who have brought the Jersies into the Utmost Confusion &c I Begg leave to assure you I have bin very diligent in my enquirys & doe find there is not one of 'em inclinable to Presbytery, but all well affected both to Church & State, and whose Estates & abilitys qualifie 'em for that post, all w^h is Submitted to y^r Lordsh^{ps}

*Representation of the State of the Church of England
in New York and New Jersey—by Rev. Jacob
Henderson, Missionary.*

[From N. Y. Col. Docts., Vol. V, p. 334.]

A short State of the Church of England planted
in the Provinces of New York and New
Jersey in America¹

Notwithstanding there are two Acts of Assembly for establishing a Ministry in the Province of New York and several particulars in those two Acts y^t make it plain, y^t it is the Church of England ministry they establish, and that ministers of the Church of England have always possessed the six churches in that Province and all the Benefits belonging to them, provided by the afore^d Laws, yet the Dissenters have taken forcible possession of the Parsonage house Glebe Lands and Salary of Jamaica on Long Island, which does belong to one of the aforesaid six Churches and do keep the same from the present Incumbent, *and y^t by the countenance of Coll Hunter the Governour of New York and New Jersey, who turned out of the commission of the peace & other places of the Governm^t the Gentlemen of the Church of England and promoted Dissenters in their Room who have refused to do justice to the Church in that particular.*

In New Jersey there are noe laws made in favor of the Church, and but four Ministers of the Church of England in that Province The Quakers and other Dissenters are most numerous and do make up the greatest part of the Assembly, which is the reason why no Law has been passed, in the Church's favour, but they have not been able to do any harm to it, in regard of the Plurality y^t the Queens Council are good church-

¹ This representation is not directed to any one, but was intended to be presented to the Lords of Trade, and certainly reached them. See letter from the Governor to the Board under date of March 14th, 1713.—ED.

men, and have always opposed any attempts made to her Prejudice by y^e Quakers or other Dissenters, who have at their head one Coll: Morris a profess'd Church-man, but a man of noe manner of principles or credit, a man who calls the service of the Church of England Pageantry, who has Joyned in endeavours to settle a conventicle in the City of New York and whose practice it is to intercept letters, and let such as pleases him pass, and those y^t doe not he destroys as can be fully proved.

This Coll Lewis Morris with the present Governor Coll Hunter have written to the lords commission^{rs} of trade, to turn out of the Councill six church of England men and to put in six others in their room, some of them Dissenters and those that are of the church are such as will run into all the measures of the Assembly and therefore of the worst consequences to the Church in that Province, for by the countenance that the Dissenters now have in that Province one Woolsey a new England Preacher took the Church of Hopewell, tho' it was built by the subscriptions of church of Engl^d men and for the service of the church of England, what usagethen must the church expect if both the Queens Council and the Assembly I mean y^t Plurality of both are inclined to serve the Dissenters Interest which will certainly be the issue of turning out these six Gentleman and advancing the other six in their Room

A SCHEME OF THE CHANGE—NEW JERSEY.

EAST DIVISION—OUT.

A very suitable honest Gentleman who is a zealous true member of the Church of England.

William Pinborne in his room

John Anderson, a Scotch Presbyterian, who commands a ship to Baren in the Scotch expedition thither and on his return in at Amboy N Jersey & lett his ship rot & plunder'd her and with ye plunder bought Land.

A person who is a declared Church of England man whom I have seen several times at Church in ye city of New York and once at Burlington, & who has given 200 Acres of Land to ye Church at Hopewell.

Peter Sommans—in his room—

Wilson Morris, a poor ignorant person who once kept a Ferry at New York.

Was as I'm creditably inform'd a very worthy zealous Church of England man but dead and is succeeded in Estate of his son a very proper person to be of the Council.

Richard Townley—in his room—

Elisha Parker, an Independent

WEST DIVISION.

A very worth Gentleman and a zealous church man who has given 200 Acres of Land to the church of Hopewell.

Daniel Cox—in his room—

John Harrison, who as I am creditably informed was brought up with one Kid a Pirate.

A good Churchman.

Hugh Huddy—in his room—

Thomas Byerly Ye Queen's Collector at New York who has been often suspended for misdemeanors & is now under suspension.

Once a Quaker but now a Church man and very zealous to serve the Church

William Hall—in his room—

Thomas Reading a man of no principles & who joyns with the Quakers in all their measures.

This is the manner they would have the Council of New Jersey modelled but it is strange to observe what sort of Persons some are that they would have confirmed

REMAINS.

Robert Quarry . . . The Queens Surveyor Genl whom they were afraid to write against.

George Deacon . . . A Quaker.

Thomas Gordon . . . A poor ignorant insignificant fellow whom they have made

Treasurer of y^e Province tho'
he has no Estate but a Tool to
serve y^m in all affairs.

This is a true state of the Matter to which I subscribe this 2nd day of June 1712.

JACOB HENDERSON Missionary.
Dover Hundred in Pensilvania¹

*Letter from Governor Hunter to the Magistrates of
Gloucester County.*

[From N. Y. Col. MSS., Vol. LVII., p. 164.]

N. York June 9th 1712.

Gentlemen

I am informed by Col. Quarry and M^r Bass that you have been very zealous in prosecuting the Custom house officers who seized a Shallup laden wth foreign Sugar and brought her to Gloucester from whence Coll

¹ Governor Hunter in a letter to John Chamberlayne, dated February 25th, 1711-12 thus alluded to this gentleman: "There came over hither one Mr. Henderson, a missionary with a new Light who was pleased to define the repairing of the Chapel [In the Fort] a Schism, and having by that means sett us all on fire again, he is upon his departure for England charged with the clandestine representation [reflecting upon the Governor's administration in reference to the interests of the Church of England.] This young gentleman came from England not long agoe for Dover Hundred in Pensilvania whether he disliked the people or the people him I cannot tell but he remayned but a very short time among them and returning to Burlington in the Jerseys Mr Talbot got him to supply his place during his absence, being come himself to New York to pursue a resolution he had taken of going to England; Col Quarry acquainted me that in his passage through Burlington he found that poor congregation all in a flame, Mr Henderson it seems had thought fit in performing Divine Service to leave out that prayer in the Litany for Victory over Her Majestys enemies, and the prayer appointed to be said in the time of War; The cheif of that congregation had took exceptions at this, but he gave them no other reasons for so doing but that Mr Talbot had done so, they reply'd that having been long acquainted with Mr Talbots exemplary life they were willing to bear with his scruples, but he could pretend none having formerly never omitted them & further that this would look as if that congregation could not bear any such prayers which was a thing far from their hearts, and intreated him to pray as he was appointed by his superiours, or they would not willingly as-

Gooking would by force have taken her if Mr Bass had not Issued his warrant to quell the tumult. I think myself obliged to acknowledge the service you did her majesty therein and to applaud your Courage and your Conduct in that affair for the Coll Gooking in Jersey is no more than a private man Yet his being governor of the [Pennsylvania] Province might have made some [. . . ? . . .] too much [· · ? · ·] Neglect to do what in duty and honor they were obliged and therefore are you the more to be Commended and you may be assured I shall always be ready to my power to Encourage those who are forward in Exerting themselves for her Majesties Service.

The [Justices?] of the [County?] of Gloucester.

Letter from Governor Hunter to Jeremiah Basse.

[From N. Y. Col. MSS., Vol. LVII, p. 165.]

New York June 9th 1712

S^r I have received your letter wth the affid^{ts} concerning the Seizure of the Shallop and Sugars at Gloucester and Coll Quarry [. . . ? . . .] being of opinion wth you that it will be best to have them sent upt to Burlington I am very willing it be so. I am very glad of the behavior of Mr Bule who has acted like a good Magistrate in Endeavoring in what in him lay to preserve the Queens

sist at them for the future. Mr Quarry desired me to speak to Mr Talbot upon this head I begg'd of him first to do so, and then if there was any necessity I wou'd, he did so, & the result was that Mr Talbot went back to Burlington and Mr Henderson came hither to go for England in his place, having in charge the secret Rep'n mentioned; one thing more with relation to that young gentleman known to me no otherwise than by the civilities I have paid him, I cannot omitt, Mr Willocks a zealous churchman here told me, that he had used [abused?] the most reverend the Primate of all England wth most scurrilous and opprobrious language, for which he reprimanded him & for the truth of which he desired that his, Mr Talbot's and Mr Vaughan's oaths might be taken being present at the conversation. Thus this Gentleman having set us all on fire goes over to justify his own unaccountable conduct by accusing of the Innocent."—N. Y. Col. Docts., Vol. V, p. 315.—ED.

peace & to protect the Custom house officer and [. . ? . .] they will give him what assistance he may want in transporting this Seisure to Burlington and I hope you will do the same I have wrote to the [Justices!] of Gloucester County to that purpose.

Letter from Governor Hunter to Colonel Gookin, Governor of Pennsylvania.

[From N. Y. Col. MSS., Vol. LVII, p. 166.]

New York June 9th 1712

S^r I am sorry for the occasion which you have given me to complain to you of your [treatment] of the Comptroller of her Magesties Customs of Jersey and Pensilvania when he was in the Execution of his office on board a Sloop at Gloucester in the Province of New Jersey which he seized and brought in there laden wth foreign Sugar in order to bring her to a tryall for a Breach of the Laws of Trade It might be imagined that an officer of her majesties Customs having made Seizure [of] goods wth[in] y^e [jurisdiction would] have been intituled to your [favour] so fare as the Law would permit but when despairing of that (as it seems he did) he should choose to put himself and his seizure under my protection you should even there come in a [. ? .] manner to dispossess him of it and to treat him not only with threatening language but wth blows is such a procedure as I beleive will astonish Every one who hears. You have had time now to reflect on it and I hope y^e and more [. ? .] considerations have brought you to be of opinion that the Custom house officer deserves some reparation and that the Magistrates of Gloucester have done no more then was their duty.

To the Honorable Col Gookin.

*Remarks on the Reverend Mr. Henderson's State of
the Church of England, &c.¹*

[From N. Y. Col. Docts., Vol. V, p. 236.]

REMARKS upon a Paper Intituled a State of the
Church of England Planted in the Prov-
ince of New York & New Jersey in
America, Dated June 2^d 1712 & signed
Jacob Henderson, Missionary of Dover
Hundred in Pennsylvania.²

It is a very ungrateful task to answer pretended
matters of Fact advanc'd by Clergyman under the
plausible pretence of promoting the Interest of the
Church of England and screened with the respect that
that character naturally inspires into an honest man.
But as the Purport of that Repⁿ before mentioned is to
wound the Reputation of a worthy Gentleman who
can be taxed with nothing else than that he uses too
much Lenity with his declared enemies there is an
absolute necessity to expose the malicious falsehood
thereof. This is therefore to give as true and sincere
information of that matter as is possible at so great a
distance, referring the further illustration thereof to
another time, when it may be done more fully & bet-
ter attested from those Provinces. * * * * *

The Representer complains that there are no Laws
in favour of the Church of England in the Jerseys w^{ch}
is granted, But doth he know any Law in favour of

¹ This document has no signature and, like the one to which it is an answer, is not directed to any one. It was probably written by Lewis Morris.—Ed.

² See page 155.

any other Religion. He grants that the Quakers & other Dissenters are most numerous there. And he might perhaps have added, that those who are of the Church of England are so dispersed, that if gathered together, Two instead of four churches might serve them and without the gift of Prophecy one may venture to say that his conduct will not contribute very much to encrease their numbers nor to bring over many of the Dissenters. Now as there is no established Church in those Provinces there seems very little occasion of a Law in favour of the Church of England, and the effect the Law that was made in New York in favour of the church of England, hath hitherto had will not very much recommend the making any in the Jerseys, as may be seen from Coll Morris last letter before mentioned who may be safely said to be as good a Judge thereof as the Representer. *The Council of the Jerseys*, he says, *hath always prevented the Assembly from hurting the Church* and presently falls foul of the President of y^e Council Col Morris whom however he owns is *a professed Churchman but a man of no manner of principles or credit, and who calls the service of the Church of England Pageantry who hath joyued in endeavours to settle a conventicle in the City of New York.* The Representer writ in so much hast that he did not observe that *a professed Church man*, & a man of no principles &c looks very much like a contradiction lett him therefore explain his meaning more clearly or otherwise he will be thought to do the church but little honor to call a professed Churchman a man of no principles &c.

As to the accusation of that Gentleman *of joyning in endeavours to settle a conventicle at New York*, it is too general to be answered, as being a hard matter to know what he means by it for if he persists in his former opinion, to call the Queens Chapel in the Fort,

repaired by the care of Brigadier Hunter,¹ by that hard name, and those who preach and resort thither to serve God, Schismatics a little Helebore might do him more good than a reply.

He is so full of Spleen against Coll: Morris, that he cannot dismiss him without an other blow, viz^t *his practice* as he says, *of intercepting Letters &c.* wherein he is perhaps as ill grounded as in the other accusations. for he confutes even himself by his affirmation. *that it can be fully proved*, because if either he or his friends had received hurt thereby, one may without breach of Charity, say that they do not want good will to make him suffer for it. As to that Gentleman's conduct: if a mans outward behaviour at home or abroad and in all the duties of his life is a true means of judging of a man all who know any thing of Coll Morris will say that he is unexceptionable.

The Principal part of the last paragraph relating to the characters of men in the Council of the Jerseys proposed to be removed & of others to be put in their room shall be answered hereafter. The Story about Mr Woolsey preaching in the Church at Hopewell may be best understood from Mr Sinclairs mouth who knows the whole matter. As to the dismal consequences the Representer apprehends from such removal the Queen will doubtless think, the Lords of Trade, the Gov^r & such others of the Councill who are not excepted against better Judges of it than the Representer, who officiously, not to say pragmatically, meddles in affairs he knows little of, & that are foreign to his mission &

¹ The repairing of this chapel brought upon Governor Hunter much abuse and misrepresentation from the Rev. Mr. Vesey, of Trinity Church, on account of the anticipated diminution in the number attendant upon his services. Gov. Hunter, in a letter dated February 25th, 1711-12, says: "I sent for him and reasoned with him upon that head, from the Decency, Expediency and necessity of it, that Chapel being one of the Oldest Houses of Prayer in the place, tho' for some time past a Bear Garden. I urged that the Souldiers had no room nor place in the Church neither was it safe to march the Garrison so far from the Fort, and that Her Majesty paid a Chaplain for that particular purpose, and had graciously bestowed Plate, Books & other Furniture for the use of it, but all this served only to plunge him into a fit of Passion."—N. Y. Col. Docs., Vol. V, p. 315—Ed.

had he but discharged that part of his duty whilst at Burlington, which is incumbent upon him, as he ought, the people had not refused to hear him as they did.

REMARKS upon the persons of the Council of the Jerseys which the Representer proposed to be removed

Mr. Pinborne

bears a fair character as to his domestick manner of Living, only he is a very pragmatical man, not to say factious, and there may be some reasons assigned why he agreed so well with a former Governor.

Mr. Sonmans

Wants the first Character, but is eminent for the latter, his immoralities are such that the Rev^d M^r Holyday, Minister of his Parish doth refuse to give him the Communion, & a small sum which he owed to a poor woman here & which the Governor did oblige him to pay, is not the least reason for his ill will to his Excellency.

Richd Townly

Is dead and y^e Representer recommends his son to succeed him, perhaps because he doth not degenerate from the abilities w^{ch} recommended his father to their favor.

Daniel Cox &

Hugh Huddy

No matter which for they are inseparable companions, who sett very bad examples to the Inhabitants as M^r Sinclare can testify.

Win Hall

Once a Quaker now of no Religion referred to the said M^r Sinclare

As to the other six recommended to the Governor to be put in their room, his Excellency has doubtless very weighty reasons for such Recommendation, and it is not to be supposed that he is so blind with prejudice as to remove Saints to put knaves in their place, as the represent^r endeavours to insinuate

To pass by the unmanerly expressions the Representer uses when he mentions the modelling the Council of the Jersey it is strange to observe (to use his own words) whether Robt Quarry the Queens Survey^r Gen^l doth not stand in his way also

George Deacon & Being both Quakers and doubtless a great
 Thomas Gardiner eyesore to him

He calls a poor ignorant insignificant fel-
 low whom they (meaning the Governor &
 The Gordon Councill) perhaps with the concurrence of the Assem-
 bly (as becoming a manner of speaking of his betters
 as before taken notice of) have made Treasurer tho he
 hath no estate but a Tool to serve them in all affairs,
 what Tool is M^r Gordon Master of to serve them in all
 affairs is hard to determine unless it be a strong chest
 to put y^e money in out of the way of Theives.

Now after all this, its ten to one but upon enquiry this
 M^r Gordon will be found neither so poor, ignorant & in-
 significant a fellow, as that he hath a competent estate,
 & as much honesty as is requisite in a Treasurer of
 that small Colony As for *his Tool* to serve them
 (meaning as before) in all their affairs, it may be a
Tool to do good as the Representer will upon the like
 enquiry be found, the Tool of a Faction there, headed
 and encouraged from hence, by whose direction he
 hath wrote this representation, to confound as much
 as in them lye, the affairs & perplex the Governor of
 those Provinces here as they have already done there,
 by the endeavors of that missionary, whom they
 prompt underhand to do their drudgery & who gener-
 ally sacrifices that little reputation which by the ob-
 scurity of his person had been preserved, had he not
 signalized his Talents in this manner

This will upon enquiry be found the true state of
 that matter to which several here who might if thereto
 required, subscribe

After all the Governors of the Queens Plantacons
 must have a fine time of it, if every private man is
 allow'd to meddle in the affairs of their Governments,
 & upon this foot no man of honour would accept of
 such tiresome Places

17 June 1712

State of the Courts of Judicature in New Jersey.

[From P. R. O. E. T., New Jersey, Vol. I. C. 124.]

The present State of y^e Courts of Judicature in
 New Jersey Referred to in Coll. Hunters
 L^{re} of 23^d June 1712

1 The Suprem Court of Judicature has the powers of King's bench comon pleas & exchequer & can try all causes Civil & criminal real personal and mixt is Established by an ordinance of the Governour & Council

This Court is not limited to any number of Justices there are at present three commissioned whereof one refuses to act. It is to sitt at Amboy on the first tuesday in November and at Burlington on the first tuesday in May yearly, and on the second tuesday of August yearly one year at Amboy and the next at Burlington alternately.

In this Court any acc'on being upwards tenn pounds value may be brought or commenced, and to this Court may be removed by certioreri habeas corpus or other lawfull writt any acc'on from any inferiour Court where the debt or damage upwards tenn pounds or concerns title of land also all indictments & matters criminell. this Court may hold five days & no longer. There is Sherifs assistants appointed for this Court in the other Countys intended to supply the room of nisi prius trialls but it is not well exprest and understood which is to sit two days & no longer where a Justice of the Supreme Court is to be aided by the Justices of the peace of such respective County two or more

For Bergen at Bergen the third tuesday in April

For Essex at Newark the fourth tuesday in April

For Monmouth at Shewsbury the 2^d tuesday in May

For Glocester at Glocester the 3^d tuesday in May

For Salem at Salem the 4th tuesday in May

For Cape May at Shamger Land the fifth tuesday in June

2 The Court of quarter sessions or sessions of the peace

For Midd'x at Amboy 3 tuesdays of Febry May & August 4 tuesday Novem^r

For Bergen at Bergen 1 tuesdays in Feb. May & Aug^t & 2 tuesday in November

For Essex at Newark, 2 tuesdays in Feb May & Aug^t & 3 tuesday in November

For Monmouth at Shewsbury 4 tuesday. Feb May & Aug^t & 1 tuesday in December.

For Burlington ibidem first tuesday, march June Septem^r & 2 tuesday Decem^r

For Glocester ibidem 2. tuesday in March June Septem^r & 3 tuesday Decem^r

For Salem at Salem 3 tuesdays march June Septem^r & 4 tuesday Decem^r

For Cape May at Shamger Land 4 tuesdays March June Septem^r & 1 tuesday January to hold for any term not exceeding two days

3^d Court of Comon pleas in each County to begin immediately as the general sessions of the peace terminates, & then to hold and continue so long there is business not exceeding three days.

This Court of pleas hath power of any acc^on to any value saving there is an appeall or removal by h^eas corpus or otherwise of any suite judgm^t or execution of upwards tenn pounds value or where title of land is concernd to any smaller value whatsoever The Judges of this Court are comonly of the Justices of the peace for their respective Countys

4 Court of Conscience each Justice of the peace Has power to determin any matter under forty shillings without a Jury. the process by summons of a consta-

ble left 4 days at Defts house if the Deft do not appear the Justice will proceed to hear the cause and determine in his absence & to grant execut'on.

The process agst an itinerant person inmate or foranner is by arrest by warr^t directed to the Constable to bring him before the Justice who proceeds immediately to hear determine & grant execut'on by delivering over the body for want of money to the constable to be conveyed & delivered to the Sheriffe who is to cause the judgm^t [to !] be executed but from this judgm^t there is an appeal to next Court of sessions if upwards of twenty shillings.

5 Court of Chancery is not open

6 But the Govern^r & Council are a Court of appeals from the judgm^t of the Suprem Court upwards £100 value, from which there lyes a further appeal to the Queen in Council if upwards £300 value but the appeal does not barr execut'on.

*Letter from Secretary Popple to the Bishop of London
—relating to the proposed New Jersey Councillors.*

[From P. R. O. B. T. New Jersey, Vol. XIII, p. 161.]

To the R^t Reverend Father in God Henry Lord
Bishop of London.

My Lord

In mine of the 7th Instant I acquainted Your Lordship by Order of the Lords Commissioners of Trade and Plantations that they had agreed to take into Consideration, what Colonel Hunter had writ in relation to the Settling the Counsellors of the Province of New Jersey, on Thursday the 14th Instant about Eleven of the Clock in the morning. And that they were desirous of Your Lordships Assistance in that Matter If

Your other Affairs would permit, I am now further to acquaint Your Lordship that the Board is verry sorry to hear of your Lordships Indisposition, which has hindred them of the Advantage of your Lordships Assistance this Day, However they have Commanded Me to Send your Lordship the Names, of six Persons recommended by M^r Doeminique, & others, Viz John Hambleton, [Hamilton] Thomas Byerly, John Reading, William Morris, John Anderson & Elisha Parker, thereupon to beg the favour that your Lordship would please to lett them know whether your Lordship have any objection as to the Principles of these Men, that May disqualify them, for the Place of Councillors in New Jersey, and that your Lordship would please to let the board have your Lordships answer Sometime this week or on Monday Morning next, if your Lordships health will permit¹ I am

My Lord Your Lordships Most

Whitehall Aug^t Obedient & most humble Servant
y^e 14th 1712: W^m POPPLE.

*Communication from the Lords of Trade to the Queen
—relative to the changes in the Council of New
Jersey.*

[From P. R. O. B. T., New Jersey. Vol. XII., p. 163.]

TO THE QUEEN'S MOST EXCELL^t MAJESTY.

May it please Your Majesty.

Having rec'd Letters from Coll: Hunter Your Majesty's Gov^r of N: Jersey Complaining that by the behaviour of W^m Pinhorn, Daniel Cox, Peter Sonmans

¹The Bishop sent his approval under date of August 17th.—Ed.

& W^m Hall Members of that Council, all his Endeavours for Your Majestys Service there were rendred ineffectuall, Perticularly that fourteen Bills were rejected most of them on the Second Reading, That Such as he prevail'd to have Committed; were either reported without Amendments & so rejected, or were Clogg'd with Such Clauses as made it impossible the Assembly shou'd pass them; Three whereof the Governor was directed by Your Majestys Instructions to Endeavour to have pass'd into Laws, Viz: An Act for relieving the Creditors of Persons becoming Bankrupt in this Kingdom; An Act for Quallifications of Jurors; And an Act for Building & repairing of Goals &c^a

That unless Your Majesty be pleas'd to remove from the Said Council the said four Persons there is no hopes of Peace & Quiet in that Province; But if Your Majesty shall be pleas'd to dismiss the said Councillors, it will be so much to the Satisfaction of the Inhabitants of that Province, that he does not doubt but he shall be able to make Such a Settlement, as will be for Your Majesty's Interest, and tend to the Composing the Animosities in that Country, according to Your Majesty's Additional Instruction to him. And Several of the most considerable of the Proprietors of that Province having also attended Us with Complaints against the said four Councillors praying that they may be remov'd, We therefore humbly Offer that Your Majesty be pleas'd to dismiss them from the said Council; And that the following Persons be appointed Members thereof who have been recommended to us both by Your Majesty's Said Governor & the Proprietors, as well Qualify'd to Serve Your Majesty in that Station Viz: John Anderson; W^m Morris, John Hamilton, and John Reading.

And there being besides two Vacancies in that Council, We likewise humbly Offer that Your Majesty be Graciously pleas'd to Constitute and appoint Elisha

Parker, and Thomas Byerly, Members of the said Council, they having been also recommended to Us by the Governor and Proprietors aforesaid.

All which is most humbly Submitted

Whitehal
Augst y^e 27th 1712

GUILFORD
PH: MEADOWS.
ARTH: MOORE.
T. HYNDE COTTON

[These recommendations were approved of by the Queen in Council June 15th 1713, with the exception of William Morris who had died.]-ED.

*Letter from Governor Hunter to the Lords of Trade
on New Jersey affairs.*

[From N. Y. Col. Docs., Vol. V, p. 317.]

To the R^t Hon^{ble} the Lords Commissioners for
Trade and Plantations

[Extract.]

My Lords

* * * My constant attendance in the Assembly here hath obliged me as constantly to prorogue that of the Jerseys,¹ neither can I promiss myself any good issue from that meeting if those gentlemen formerly

¹ In a letter written June 23d, 1712 he gave another reason for it: "It being absolutely needless to meet the assembly so long as the council is so constituted, for they have avowedly opposed the Government, in most things and by their influence obstructed the payment of a great part of the taxes so that I wait with great impatience, for the remedy your Lordships have made me hope for."—N. Y. Col. Docs., Vol. V., p. 343. And again, at a later date, December 16th (*Ibid.*, p. 351), he wrote "I cannot resolve upon meeting the Assembly of the Jersies until I know Her Majesty's Pleasure with relation to the Council of that Province, foreseeing nothing but inevitable confusion. Mr. Sonnans since his having Imbezeld the Records, has thought fit to retire to Pennsylvania, where he diverts himself with printing and dispersing Libels against the Government here."—*Ib.*

mentioned, continue in the council, that faction upon all occasions vilify and affront the Government in all its branches, one of them Peter Sonmans, an alien lately after having given orders to a servant of his (to whom it seems during a former administⁿ Mr Bass had intrusted the records of the eastern division of that Province) not to shew them to those who had not only my order, but M^r Basse's for that purpose, upon hearing of a 2^d application and complaint to me from the parties concerned, thought fitt to break open the trunk in which the records had been kept and carry them out of the Province, Some time after the Chief Justice having issued out his warrant for a search, and another for apprehending the said sonman, the records were sent from New York by a purmit for Philadelphia but M^r Bass who his likewise Surveyor of the Customs at Burlington as he affirms to me suspecting there might be some prohibited goods in the said trunk when at Burlington and having a key sent him by an unknown hand sealed up in a blank piece of paper had the curiosity to hopen the trunk where to his great surprize, he found all the records of the eastern division safe and sound, and swears he will now never part with them more but with his life, I suppose the collusion is palpable enough to your Lordships but I shall make all more plainly by the next conveyance. In the meantime the taxes are paid with daily difficulty and prosecution, occasoned by the ill example and countenance of some of these gentlemen and matters of Government in the high road to the same confusion that reigns in this province, whilst the remedy is easy and nobody hurt by it. * * * *

My Lords Your Lordships' most

humble & most obed^t Servant

New York Oct^r 31st 1712

RO: HUNTER.

*Letter from the Clergy of New York and New Jersey
to the Reverend Jacob Henderson — Disapprov-
ing of his Course toward the Council of New
Jersey.*

[From N. Y. Col. Docts., Vol. V, p. 351.]

New York, 5 March 17¹²/₁₃

Reverend Brother.

We are heartily sorry for the unhappy occasions of giving you the trouble of this with the inclosed Memorial and a letter from Coll: Morris with our answer to it, and are deeply concerned that we are thereby laid under the ungratefull necessity either of disapproveing the Characters you are said to have given of some gentlemen, to the Hónble the Board of Trade and Plantations, or of doing wrong to our own consciences, if, when so earnestly required to it, we should by our unmannerly silence seem to justify what several of us know to be false and unjust.

As a means of that strict union amongst ourselves enjoined us by our Patrons at home and of promoting the real interest of the Church, the true end of our mission, where, [we're!] by His Excellency our Governor's approbation, appointed to keep our next meeting at Amboye for the convenience of our brethren of Pensilvania, if they please, for mutual advise and assistance, to give us a meeting.

If in justification of your self and for our satisfaction, you will please to give a return to this, with respect to what is laid to your charge, in calumniating some Churchmen that never shewed any inclinations to Presbiterly or anarchy, which is an imputation on all our Order and brings us under the contemptible

appellation of party tools, we desyre you would direct
for the Reverend M^r M^cKenzie, and we remaine

Reverend Sir

Your loving Brethren

and humble Servants.

ALEXANDER INNES CHRIS: BRIDGE. DANIEL BONDET

ÆNEAS M^cKENZIE EDWARD VAUGHAN. T. HALEDAY

JOHN BARTOW JOHN SHARPER. HENRICUS BEYS.

*Letter from Governor Hunter to the Lords of Trade,
—about New Jersey Affairs.*

[From N. Y. Col. Docs., Vol. V. p. 355.]

N York y^e 14 March 171²₃

My Lords

This letter relates to the affairs in New Jersey, which remain still in y^e same perplexity untill Her Majesty's pleasure be known touching the alteration of her Councill there, upon which intirely depends the quiet of that Province.

There has been somehow handed over hither a copy of a Representation said to be given to your Lordships signed by Jacob Henderson Missionary for Dover hundred in Pensylvania, aspursing foully some gentlemen recommended by me for Counsellors; some of the gentlemen concerned being so basely attacked in their reputations thought it necessary for their justification to appeal to the Convocation of the Clergy of both Provinces assembled at New York, who unanimously agreed upon the resolution of sending to M^r Henderson a letter signed by them all, a copy of which is here enclosed, by which your Lordships will perceive how

little credit is to be given to representations of that nature.

Nothing but the appeal I have made to Her Majesty could have kept me from suspending some of these Gentlemen of the Council for their turbulent and undutifull behaviour, and I can not doubt but that your Lordships will doe your endeavours to prevent Her Majesty from being trampled upon in the person of her Governour, how inconsiderable soever that may be, while she is pleased to continue him in that office. M^r Sonmans still absconds and continues to disperse his libels, M^r Pinhorne has never attended the Council since the first Assembly and I believe resolves never more to do so; M^r Townley, M^r Gardiner and M^r Quarry are dead; M^r Cox talks still confidently of his goeing for England: So I shall hardly be able to make a Quorum of Council for business, and even many of them disposed and resolved to obstruct all business.

I formerly wrote to your Lordships about a Court of Chancery in that Province: the subject in this, finds ease and releif from it, and there in the Jerseys [they?] beg and groan for it; but there is no hopes of opening such a Court with the advice of the Council as it is now constituted. I desire to be resolved by your Lordships whether y^e custody of the Seal does not actually constitute such an Office and Court, and if so, whether I may not by proclamation, without the Council's concurrence, declare such a Court to be opened.

It is to no purpose to let the Assembly meet until Her Majesty's pleasure relateing to Her Council there be known. I am, with all imaginable honour and regard;

My Lords Your Lordships
most humble and most obedient Servant
Ro: HUNTER.

*Letter from Thomas Gordon—in answer to the Rev.
Jacob Henderson.*

[From P. R. O. B. T., New Jersey, Vol. II, D 19.]

Letter from M^r Gordon a Member of the Council of New Jersey, with Several Certificates relating to his own & Col Andersons Characters w^{ch} M^r Henderson had injured.

S^r

Herewith Comes the Certificate of Severall worthy Ministers of Establish'd reputac'on to Cleare mine from the wound Endeavour'd to be made by a person altogether a Stranger to me who Lived in an Other Province one hundred and fifty Miles distant from me and that but a few Months before his returne for England where I'm Inform'd he gave a Memoriall To the Lords of Trade Containing a Scandalous Character unjustly of Divers Gentlemen besides me I Earnestly beg S^r the ffavour of you that you will be pleased to Lay the Certificates before the right Hon^{ble} The Lord's Commiss^{rs} for Trade and Plantac'ons to Informe their L^{dps} that M^r Henderson has been Very unjust to

S^r Your most huble Serv^t

New Jersey March 21st 17¹³.



Doctor Innes Minister of Monmouth County in
East New Jersey relating to y^e Character

of Thomas Gordon Esq^r a Member of ye
Council there

Thomas Gordon Esq^r one of Her Majesties Council for the Province of New Jersey Having seen a Memorial subscribed by Jacob Henderson Missionary to Dover hundred in Pensilvania and by him presented to my L^d Winchelsea President to the Lds commissioners of Trade containing an unjust and scandalous character of him and desiring a certificate from me the Curate of the congregation to which he belong'd, before any Missionary came to Amboy of his deportment during his communion with us.

These are to certify to all Christian People that the s^d Thomas Gordon kept constant communion with us, liv'd in exact conformity to the Constitution of the Church of England as by Law Establish'd, was a constant communicant with us and Exemplary in his Life and conversation amongst his Neighbours. And is a Person of an University Education and being born in the same neighbourhood and by the more than common friendship between our Parents I can certify with a good Conscience that he is descended from an honourable Orthodox and Loyal Family, being Grand child by the Eldest Son to the memorable Robert Gordon of Pitburg and Straloch, who for Wisdom and Learning was reputed inferior to none in his time in the Kingdom of Scotland, and that I believe the s^d Thomas Gordon for Learning, honesty and integrity of Life is inferiour to no Lay man in the Province where he Lives; Is well esteem'd of by all his Neighbors known to be a Promotter of Peace among 'em, one who during the Proprietors Administration Executed the offices of Secretary & Register many years with a general Approbation. And since the surrender by the Proprietors has been Speaker in the General

Assembly, and for some time Cheif Justice of this Province. And a Person as I am credibly inform'd y^t hath the service of the church celebrated in his Family daily when at home, and who bringeth his children & Slaves to be catechised & Instructed in the Principles of the Christian Religion in the time of Divine Service. And as to his Estate he is now actually seised of above six thousand acres of Land in fee simple besides his Practice in the Law and his good Credits & chattels of a considerable value. In Testimony whereof I have hereunto set my hand this 12th of March 1713³

ALEXANDER INNES, Presbiter.

Certificate from M^r Innes relating to the Character of Col John Anderson recom'ended to be of y^e Council of New Jersey

Leiv^t Coll^l Anderson having seen a Memorial subscribed by Jacob Henderson missionary to Dover Hundred in pensilvania presented by him to my Ld winchelsea president to the L^{ds} Commissioners of trade. Containing an Unjust & scandalous Character of s^d Coll^l Anderson And desiring A Certificate from me the Curate of the Congregation to w^{ch} he doth belong of his Deportment during the time of his being a member of y^e s^d Congregation.

These are to Certifie to all Christian people the s^d Leiv^t: Coll^l John Anderson for the space of eleven years hath lived in Communion with us & in Exact Conformitie to the Constitutions of the Church of England as by Law Established, hath been a Constant Communicant; and Exemplary in his life and Conversion Amongst his Neighbours; And his house hath been the Common Receptacle of the Clergie going to or coming from Burlington & Philadelphia: hath purchased No Lands, but lives on the Lands he had with his wife; And as I'm Credibly Informed he was born

Baptized and Educated in the Communion of the Episcopal Church of Scotland, and that he had the honour to have the Right Reverend Father In God John Lord Bishop of Ross for his Godfather. In Testimonie whereof I have here unto set my hand this 12th of March Anno Dom: 1712

ALEXANDER INNES PRESBITER

[Rev^d Rob^t] Wats of New York relating to the Character of Cap^t John Anderson

By Virtue of a Commission to me directed from the Hono^{ble} the Court of Directors of the Company of Scotland trading to Africa & the Indies impowring to inspect into the management of Cap^t John Anderson late Comd^r of the Ship Unicorn and to settle and adjust all Acco^{ts} with him the s^d John Anderson relating to s^d Ship I Do hereby certifie to whom it may Concerne that after due enquiry made I find that the s^d Cap^t John Anderson hath carefully & honestly discharged the trust reposed in him as Master or Comd^r of s^d Ship having dilligently attended her three years & upwards, at the expiration of which time She being unfit for further Service, and he without any instructions from the owners, thought fitt to leave her having Sold or Secured all her furniture and apperrell excepting the Great Guns which by the Authority of the Right Hono^{ble} the Earl of Clarendon then Governour were brought to New York, and now remain mounted on our Platforms And I Do further Certifie that the s^d Cap^t Anderson has exhibited and to me deliverd in behalfe of the Company aforesaid full & particular Acco^{ts} of all things Sold or disposed off by him belonging to s^d Ship, together with proper Vouchers for his own Claimes & Demands, all which being duely Stated in a general Acco^t the ball^{ce} falls in his favours one hundred & fifty Six pounds two Shillings & two pence.

for which Sum, the Ship still remains his debiter. In Witness whereof I have hereunto affixed my hand & Seale this 20th March 17¹³

RO^r WATTS

Certificate of M^r Vaughan and M^r Haliday relating to the Character of Tho: Gordon Esq^r a member of the Council of New Jersey

Whereas Thomas Gordon Esq^r one of her Mat^{ties} Council for the Province of New-Jersey, having seen a Copy of a paper, entitul'd a short state of y^e Church of England in y^e Provinces of New-York & New-Jersey in America, & said to be given to the Right Hon^{ble} the Earl of Winchelsea President of the Board of Trade & Plantations and signed by Jacob Henderson Missionary of Dover-Hundred in Pensylvania, and since it appeares, y^t that Memorial contains an unjust & Scandalous character of the said Thomas Gordon, We the Subscribers, do think our selves obliged in conscience and duty (as friends to truth and justice) to declare & testifie what we Know and believe to be true concerning that Gentleman, upon whose request, we therefore certifie all whom it may concern, That the said Thomas Gordon, is a member of, and a constant communicant in the Church of England, as by Law Established, living in exact conformity to her constitutions, and adorning his profession by an exemplary life & conversation amongst his Neighbours, & hath given sufficient demonstration of his affection to the service of God by his liberal contributions on all occasions towards the Building of Churches: He is a person learned in y^e Law, and Science Mathematical, & by reason of his honesty & integrity much esteemed in the Countrey, a person that hath publique worship dayly celebrated in his family according to the directions of

the Rubrick, who not only chatechises & instructs his children, but his slaves in y^e Principles of the Christian faith, and requires them to join in y^e time of Divine Service by their alternate Responses to the Psalms & Hymns, & hath, as we believe, a better visible Estate, than several of the Persons approved of by the Authour of the Memorial: In Testimony whereof we have hereunto set our hands the sixteenth Day of March Anno Dom' 1712

T. HALIDAY Minister
of Perth-Amboy &c in
New Jersey

EDWARD VAUGHAN Minister
of Elizabeth-Town in
New Jersey.

Certificate of the Reverend M^r Æneas M'Kenzie
Minister of S^t Andrews on Statten Island
in the Province of New York in behalf of
Thomas Gordon Esq^r

Thomas Gordon Esq^r one of her Majesties Council of New Jersey, and some others of his friends on his behalf Earnestly Requesting me to declare, and Testify what I Know of as to his Character, Principles, and Conversation etc.

These are to Certify all whom it may Concern that since my Acquaintance with that Gentleman, which was upon my first coming into these Parts Seven Years agoe I ever esteem'd him, and do still as farr as I dare pretend to Judge, think him a Man of Good Education of Sound Principles, and Christian Conversation.

That he has to my Knowledge shewn him Self on several occasions to be Very Zealous for the Promotion of y^e Church of England as by Law Established, and that his frequent appearing so constant, and unwavering in defence of that Apostolicall Constitution has been often Managed as a Popular Argument against him upon such Publick occasions by y^e Severall Secretaries of that Province.

That I believe upon the Creditable informations of Severall of my Brethren, and other Worthy Gentleman that he hath Publick Worship daily perform'd in his family according to the Rubricks of our Excellent Liturgie.

That he takes due Care to instruct not only his children, in the Principles of y^e Christian Religion, but his Slaves, (a Practice not Common in these Parts) in y^e Church Catechism.

That he has always appear'd Very assisting forward in promoting the Building of Churches, wherever wanted, by his advice, and free, and liberall Contributions as I myself have particularly found him towards building my Parish Church.

I am Credibly informed that he has Considerable Estate, and that he is of an Hon'ble family, that has been always of Good Esteem both for Loyalty, and Learning.

in Testimony whereof I have hereunto set my hand this 21 day of March Anno: Dom: 171¹/₃

ÆNEAS MCKENZIE.

Letter from the Lords of Trade to Governor Robert Hunter—relative to the Council of New Jersey.

[From N. York Col. Docts., Vol. V, p. 360.]

To Robt^t Hunter Esq^r

[Extract.]

* * * * * We hope now, you will be made easy, in relation to the Councillors of New Jersey, we laid that matter very fully before her Majesty, with our opinion that William Pinhorn, Dan: Cox, Peter Sonmans and W^m Hall should be removed from the council, and John Anderson, W^m Morris, John Hamilton & John Reading admitted in their places, and that Elisha Parker and Thomas Byerly be added to fill up

two vacancies, which her Majesty has been pleased to approve,' so that there remains nothing to be done, but that some person here, take out her Majesty's orders in this matter.

If you had an agent here, we could send to him to do it, but as you have none, we do not know how long the Orders may lye before they are dispatch'd to you this shows you the necessity of having an agent for each of your Governments, and we desire therefore that you use, your utmost endeavours to get such a one established.

We have this day, received your letter of the 14th of March last relating chiefly to the counsellors of that Province needs no other answer than what we have writ above, except that when the Council is changed, you may then by their advice establish a court of Chancery. * * * *

Sir Your most humble Servants

GUILFORD

PH. MEADOWS

RO. MONCKTON

J. HINDE COTTON.

Whitehall

April 23^d 1713

[Under date of July 18th, before this letter was received by Governor Hunter, he wrote to the Lords of Trade: "I have often told your Lordships that it is vain to attempt anything in the Jerseys, until the Council be alter'd, I know that your Lordships are of the same opinion, and I do again affirm that you must charge [change?] the Council, or change the people, for changing the Governor will not do."—N. Y. Col. Docts., Vol. V, p. 366.]



was the son of Andrew Hamilton, Governor of the Province under the proprietors. His appointment as one of Governor Hunter's Council, was his first

introduction into public life, and he continued to fill the position under the administrations of Burnet, Montgomerie and Cosby, so that he was prepared by his experience as a Councillor to enter upon the more extended duties devolving upon him on the death of Governor Cosby, of which succeeding documents will give full information. He was appointed in 1735 an Assistant Judge of the Provincial Supreme Court. In 1740 he was appointed one of the Commissioners to settle the boundary lines between Massachusetts and Rhode Island. As President of the Council he assumed the government on the death of Governor Morris in 1746, but died soon

Letter from Governor Hunter to Attorney General Griffith.

[From N. Y. Col. MSS., Vol. LVII, p. 185.]

Sir

I have received Complaints from the Collector of Burlington County that the People are very remis in Paying their Taxes particularly the Town of Springfield I have formerly wrote you on some occasions of the like Nature desiring you to use all legal and proper methods to oblige the Delinquents to pay their arrears of taxes which I am told had then a pretty good effect. I must now again Desire you to Exert yourself on this occasion and when you know from Mr Westland, the Collector who are in arrears or what towns that you take the Speediest and most effectual methods for obliging them to pay their arrear of taxes. the Court is speedily to sit for that County & I choose to give you these directions now that you may then Compell them to do what in justice they ought to have done before. I desire you'll Inform yourselfe as soon as Possible from Mr Westland of the Delinquents to whom I have wrote to give you an account thereof and likewise to the Justices to do their part.

Alexander Griffith Esq.

thereafter. It was to Colonel Hamilton, as he was generally called, that the colonies were indebted for the first scheme for the establishment of post-offices in America. He obtained a patent for it from the Crown about the year 1694, but subsequently for an adequate remuneration reconveyed it to the Government. Colonel Hamilton's residence was in Perth Amboy, and he died and was buried there. Whitehead's History of Perth Amboy and Surrounding County, p. 168.—Ed.

Accounts of Thomas Gordon, Receiver General of New Jersey, from June 23d, 1710, to June 23d, 1712.

[From N. Y. Col. MSS., Vol. LVII, p. 173.]

		£	s.	d.	£	s.	d.
Anne Queen of Great Brittain &c: her Revenue for two years from ye 23d June 1710 to 23 June 1712 by act of Genl assembly of New Jersey, is—proclamation money		1888	00	00	Anne Queen of Great Brittain &c: her Revenue for two years from ye 23d of June 1710 to ye 23d of June 1712 by act of Genl Assembly—Proclamation money		
To ye several officers of ye Government for their salaries for ye two years Raised		0400	00	00	By his Excellence Brigadier Hunter Gov: for two years 1000 £ salary, firewood house rent 300 £ for incidentals		
To ye Members of ye Generall assembly for their fees for ye two years Raised		0103	12	08	By Ch. Justice Momesson, remaining of his salary by warrant		
To charges & Expenses for assessing & Collecting &c.		0103	12	08	By Ch. Justice Jamison for ye rest of two years by warrant		
Summ in £.		2391	12	08	By Thomas Gordon Reer Genll for sd two years salary by warrant		
Memorandum. I have Received of ye sd 2 years taxes 1818 lb. 18s. 10d. so yt is yet unpaid 772 lb. 18s. 10d. but ye Genl Assembly have made Currant Bills of Credit of 2000 lb. (of which about one-half is payed) which was to be cancelled by a late Act of Generall Assembly out of which ye above sd salaries are payd.					By Jer: Bass Clerk of ye Council for sd two years salary by warrant		
					By George Clarke Auditor Genll for sd 2 years salary by warrant		
					By Alex Griffith. Attort Genll for sd 2 years salary by warrant		
					By Jon Pinhorn 22 £ 10s 00 & William Bradford 67 £ 10s. 00		
					Clarks of ye Assembly for ye salaries		
					By John Nilly Sergeant at armes for ye salary by warrant		
					By Alex Harper Doorkeeper of ye Council for sd 2 yrs salary by war		
					By William Bradford Printer for sd 2 years by Warrant		
					By Ja Suterwant Doorkeeper To ye Assembly for sd 2 years by warrant		
					By members of ye Assembly some pd by me and some by ye Collectors whereof I can as yet give no Particular account		
					By Charges and Expenses of which I can as yet give no particular account		
					Summe in £.		
					15th April 1714 Thomas Gordon Receiver Genl of New Jersey		
					Errors Excepted for me.		
					2391 12 08		

Petition of the Freeholders of Middlesex County to the House of Assembly, against the Election of Thomas Farmer.

[From N. Y. Col. MSS., Vol. LIX. p. 13.]

To the Hono^{ble} House of Representatives of the Province of New Jersey:¹

The Humble Petition of Samuel Dennis Edmond Dunham, Moses Rolph, John Griffeth Nath: Fitzrandolph, W^m Ilsley Hugh Dunn Charles Gillmann David Dunham Nicholas Munday John Moore on behalf of themselves & many more of the Freeholders of the County of Middlesex:

Sheweth

That on the 31st of October last y^e Freeholders of the s^d County of Middlesex meett at the House of Thomas Davis Jn Woodbridge to elect two Freeholders to be their Representatives in this P^{re}sent Assembly according to the Appointment of Gawen Lockhart Esq High Sheriffe of the County.

That Captain Thomas Farmer being proposed a candidate against Samuell Dennis Esq, the High Sheriffe afores^d was told y^t the s^d Farmer ought not to be set up because he was not capable of being Elected & the severall Laws which Incapacitated him were then and there also shown to y^e said Sheriffe & it was pray^d & insisted upon y^t they might be read which the said Sherriffe utterly refused & saying we will have noe law here & a pole being demanded for y^e said Farmer y^e s^d Sherriffe proceeded to pole for him.

¹ Presumed to have been presented at the session which commenced on December 7th, 1713.—Ed.

That Edmund Dunham Esq being nominated another Candidate Adam Hude Esq was Named against him & a pole being demanded for the s^d Adam Hude it was Readily agreed to.

That y^e s^d Sherriffe did not P'mitt the s^d Dennis & Dunham to nominate their Inspectors of the Clarks of the Pole as the Law directs but appointed them himsele without their knowledge & Consent of the said Dennis & Dunham nor administred y^e Oath by Law Appointed to y^e s^d Clarks.

That very soon after y^e s^d Pole was begun the s^d Dennis and Dunham haveing a considerable majority & the Freeholders appearing very forward in Poleing for them & very backward for the other two, the s^d Sherriffe, Contrary to the Consent & Desire of the s^d Dennis & Dunham adjourned y^e s^d Pole under Pretence of Going to Dinner

That some time after the pole being again opened, the freeholders continueing to pole fast for the s^d Dennis & Dunham, the s^d Sherriffe obliged the freeholders to come at the end of the Table where he was to pole and then summoned many upon Juries if they pol'd for the s^d Dennis & Dunham tho those that Poled for y^e two other Candidates were permitted to Pole out of the Window & very few of them summoned for Jurymen & none untill great clamor was made against such palpable partiality whereby divers who intended to Pole for Dennis & Dunham were frightened away and did not Pole at all &

That about sun sett the s^d Dennis & Dunham keeping a considerable majority & many more attending to pole for them, Contrary to their consent & Express Desire, the s^d Sherriffe adjourned y^e Pole untill Saturday y^e Fourth of November.

That on Saturday aforesaid the s^d Sherriffe haveing again opened the Pole behaved himsele very partially suferd divers to pole for y^e s^d Farmer & Hude without

haveing taken the Oath appointed by Law and turnd others away y^t would pole for Dennis & Dunham tho they were willing to take the s^d Oath & att last Shutt up the Pole so Suddenly & abruptly y^t y^e very Clarks at the Table knew not of it but lost their votes as did Divers others who were there attending to Pole for the s^d Dennis & Dunham.

That by these indirect Practices the s^d Farmar obtained a majority of & the s^d Hude of Eight votes & were by the s^d Sheriffe declared duly Elected; whereas if all those there waiting to vote for y^e s^d Dennis & Dunham had been permitted to Vote, the majority would have been for them notwithstanding all the before recited Partialities & unfaire actings of the s^d Sherriffe.

All w^{ch} proceedings of the s^d Sherriffe (as your Petic'oners are advised) are arbitrary, directly contrary to the very letter of the Law & tending to robb y^e s^d Freeholders of their Just rights & Libertys.

But for as much as they cannot be relieved any where else save by this Hono'ble House & for Preventing the like irregularities & palpable partiality for the future

Yo^r Petic'oners therefore Humbly pray—

That this Hono'ble House will please to take y^r premises into Consideration & give your Petic'oners such relief & redress as to yo^r Wisdom shall seem Just and necessary.

And yo^r Petic'oners shall ever pray &c.

Was signed

Henry Rolf	John Moor	Daniel Sulen
Caleb Wingett	W ^m Ilslee	Henry Freeman
Thomas Davis	Will Robinson	Francis Lost
Josias Wooding	Sam ^l Dennis	Edm ^d Dunham
Hugh Dun	Noah Bishop	Jon Worth
Daniel Betten	Benajah Dunham	Samuel Dun
Moses Rolf	Charles Stillman	Hopewell Hull

Nicholas Munday	Rich ^d Seafer	Andrew Drake
John Fitzrandolf	Miles Bunn	David Dunham
John Sutton	John Else	Sam ^l Slater
Johnathan Tagnitz	Joseph Gillman	Benj ^a Rolph
James Clarkson	Cornelius Paulsen	Will Clauson
Benjamin Hull	Nathanell Fitz	John Griffith
George Ewbank	Randolph	Edw ^d Freeman

Petition of Inhabitants of Woodbridge, Middlesex County, for a License to build a Church for worship after the manner of the Church of England.

[From N. Y. Col. MSS., Vol. LIX, p. 51.]

To his Excellency, Robert Hunter Esq, Capt
Generall and Governor-in-chief of the Prov-
inces of new Jersey new York Vice Admi-
rall of the same etc.,

The Petic'on of the Subscribers Freeholders &
Inhabitants of the Town of Woodbridge in
the Province of s^d Newe Jersey

Humbly Sheweth.

That the Petic'oners Esteeming themselves under an
Indespensible Obligac'on to Promote the Public Wor-
ship of God after the Maner of the Church of England
as by Law Established and haveing no church in the
said Towne nor Publick House for Divine Worship to
which they can Claime liberty to resort

Do therefore humbly pray that y^r Excell'y would be
pleased to Grant them your Licence for Erecting a
Church in the said Towne for the Service of God. And
that your Excellencie would allow and authorize the
Petic'oners or some of them to Receive the Charitable
Benevolence of Godly and well Disposed Persons for

Assisting the Petic'oners by their Contributions to Accomplish their Intended Design, and Your Excellencies Petic'oners as in Duty bound shall ever Pray

[December 1713]

Robert Wright	Benjamin Donham	Geo Ewbanke
John Shippoy	John Bishop.	Henry Rolph
D. Hooglandt	John Alston	Philis Dennis
	John ^{his} + Halker	
	mark.	

Letter from Joseph Morgan, of Freehold, New Jersey, to the Lords of Trade—relating to some improvements in modes of navigation.

[From P. R. O. B. T., New Jersey, Vol. II, D. 25.]

Lre from M^r Joseph Morgan of Monmouth County in y^e: East Division of New Jersey, inclosing a Scheme for y^e improvemen^t of Navigation

To the Right Honourable The Lords Commissioners of Trade and Plantations in y^e Realm of Great Brittain These

Freehold in Monmouth county in y^e East division of New-Jersey in North America

Aug. 5. 1714

May it please your Lordships

I hope y^e inclosed Work will excuse my Presumption, in writing to your Lordships; & though hitherto I am to you unknown, y^e Work inclosed will be never y^e Worse known It being y^t w^{ch} will justify or condemn it-Self when effectually put to Tryal.

What I propose to do by it I know to be true; but what y^e Benefit of it may be at Sea in Calms & contrary Winds I (having never crost y^e Sea) must leave to Marriners to judge; & I believe yy can give no good

Judgement till y^y have tryed it. The Small cost, y^e Lightness & little Lumber in a Ship, recomends y^e Work to tryal The oars keeping stroke on both sides y^e Ship, to a hairs breadth, if y^r were an hundred of y^m & y^e Same Machine serving to row wth many or few Oars indifferently, & y^e Ease of Wealding y^e Oars if great enough to require an hundred men to carry one of y^m, & by consequence Oars big enough for a Spanish Gallion or y^e Royal Sovereign, or such great Oars y^t a Pair or two (if need require) Shall be Sufficient for a Ship; (together wth ye hanging of y^e Oars so y^t y^e rowling Sea can have no power on y^m any other way yⁿ only to thrust y^e Ship forward, & y^t ye Strength of One man will row as much as 2, 3, 4, 6, 8, or ten men according to ye way y^t is taken, beside y^e Addition of y^e weight of y^e wheel by it's motion, & y^e Swiftness of y^e Oars, into & in y^e Water by y^e help of Weights or Springs (all w^{ch} are infallibly so) recomends y^e Tryal of it against y^e Wind at Sea w^{ch} if good may Save many a Ship from Ship-wreck & by weathering of points &c. many weeks & Months in voiajes & be excellent in War.

I having been a Passenger in y^e Sound about New York, Saw y^e want of such an Invention, & imagining y^e possibility of it, set my Self to Study it has cost me y^e Labour of many years I from Time to Time finding an Inconvenience in y^e way I had Projected was forced to throw all away & begin a new; till at length I found y^e Several ways here inclosed at y^e time Specified in y^e inclosed When I was satisfied in y^e Invention I proceeded to make Tryals wherein I have been at greater expense yⁿ my Small means to maintain a great Family of Small children, could hold out, & could not make Tryal to my desire: but what Tryal I made I found to answer my Expectation; w^{ch} imboldens me to recomend it to abler hands Seeing hopes of its being usefull I believe it my duty to make y^e first offer of y^e Benefit of it to her Majesty (though I believe

all y^e World ought to have y^e Benefit of it, having given a proportionable reward to him y^t Almighty God has made y^e Inventer of it) Wherefore I sent a Paper of these Diagrams to his Excellency y^e Governour of New York two months ago desiring him to write to your Lordships, & lest it Should miscarry (or be so long in y^e way y^e some other who have Seen part of it here should get to Europ first & get y^e Reward) I Sent another to his Ex^{cy} y^e Govern^r of Boston wth y^e same desire: & now having Oppertunity by a Passenger I send a third my Self The Governour & Assembly in New York having seen it in ye Diagrams & most of y^m Saw one way of it rowing in a Boat

I humbly Offer it a Present to her Majesty & her Successors for y^e use of her Navy (believing it my Duty so to do) & I leave it to y^e Justice & Liberality of her Majesty & her Ministry to Order me a Reward from Such as use it for their own Profit: humbly Praying y^t her Majesty will give it me for a certain number of years &c. by Patent or by Act of Parliameut or as her Wisdom Shall See good I also humbly Pray y^t her Majesty will use her Interest wth forreign Powers for a reward to y^e Inventer; & I will—

I have found out another Art (hitherto unknown to y^e World) of far (yea an hundred Times) greater consequence, & benefit to ye World, w^{ch} I cannot so describe upon Paper; but I am not able to defray y^e Charge of making Tryal of it, nor do I expect ever to be able except I be enabled by a Reward for this, & then (God willing) I shall not fail

I trust y^t your Lordships, in your desire to promote y^e publick good, & in kindness to an unknown well-willer, will take such Methods as in your Wisdom you shall judge meet, & pardon my Boldness comitted wth a good desire And it Shall be a continual Obligation unto Thankfullness from

Your Lordships most humble Servant

JOSEPH MORGAN.

P. S. If any gentleman will be so kind as to write to me, how this is accepted he will greatly oblige his humble Serv^t

[Then follow thirteen descriptions of the mode of applying the invention to ships, with pen and ink figures, showing the wheels, cranks booms &c that were to aid men employed in moving the oars, which were to project from the sides of the vessels; as
 “ Found out in y^r year 1712 [to 1714] by Joseph Morgan of Freehold in New Jersey in North America.”

* * * “The Oars hanging as aforesaid, will feather every way before y^e Water or waves except y^r way y^r week. The work hanging in due proportion. One man can give all ye Oars y^r Motion if y^r Ship be full from end to end on both sides or if y^e Oars be as big as Trees y^t would take fourty men to carry one of y^m.” * * * *]

“ Now if any one of these thirteen ways be good my Art is good, although twelve of y^e ways were good for nothing I have some more ways yet, but I think these enough to make tryal wth

“ If this Art come into use it will doubtless gain by Practice to be twice So good as when first found out (for all Arts must have y^r time to begin & grow)

“ But I fear y^t if y^e first Tryals be made when y^r first Invention is not present, y^t by some thing or other not done right y^e work will be discouraged; for in such work (like as in mills) one Small thing done amiss or out of Order Spoils all

“ I have also Several ways to row Small Boats but I think y^e are needless in Europe One I Shewed in New York June 17th 1714, where one man rowed with 2, 4, 5 or six oars & could wth ye same labour have rowed with twenty * * * *

* * * * In this work it being as easy to weald Oars for ye greatest Ship on ye Ocean as for y^e Small-

est Boat: & one mans Strength equalizing so many:
y^e benefit must be exceeding great for Ships y^t lye be-
cabled or wind bound &c. * * * *

“This Art is humbled offered (by ye Inventer) to her
Majesty for ye Use of her Navy”

And he prays her Majesty to order him a Reward
from Such as use it for their own proper Benefit And
to use her Interest wth forreign Powers to do y^e like
for y^e Inventer.

JOSEPH MORGAN.

To the Right Honourable the Lords Commis-
sioners for Trade & Plantations These
To leave at London

Freehold in ye County of Monmouth in y^e Eastern Di-
vision of y^e Province of New Jersey in North
America Aug. 28, 1714.

May it Please your Lordships

Several of y^e inclosed Diagrams I have Sent to you
(Several ways lest y^e first Should miscarry) & now for
surety I Send again *Via Philadelphia* In this I Send 15
Figures (w^{ch} is more than in y^e former) & can send
Several more of quite different way of working. The
device is all wholly my own I never borrowed one
tittle of it from any man except Oars and mill-wheels
& cranks

I hope y^e Inclosed matter will excuse my Boldness
though I am to your Lordships unknown

The Governour & Assembly & City of New York
(where I Shewed part of it openly y^e 17th of June last)
can witness for me y^t no man in these parts of y^e
World (& I have never been in any other) ever pre-
tended to any part of it before me and I have had it
on foot many a year but never could please my Self

till, wth ye ways here inclosed & Some other better or worse

My Offer, & Request, to her Majesty, I sent in my last & have mentioned in y^e end of y^e inclosed (w^{ch} contains four leaves)

Hoping y^t your Lordships will not despise a Proposal for y^e publick good; till it is Effectually tryed (whatever some who like nothing new may object) although it be from one whose name is obscure (yet I am sure it is from a hearty good-Willer & Loyal Subject) but take such methods as your Wisdom Shall direct to And it shall be a continued Obligation unto Thankfulness from

Your Majesties very dutifull Subject &

Your Lordships Most humble Servant

JOSEPH MORGAN.

*Letter from Governor Hunter to the Lords of Trade—
about New Jersey Affairs.*

[From P. R. O. B. T. New Jersey, Vol II, D. 9.]

Lre from Brig^{dr} Hunter Gov^r of New Jersey to
the Board.

N York y^e 27 Aug 1714

My Lords.

This Acknowledges the Honour of yo^r Lordps. with the Treaties of Peace & Commerce with Spaine Which I have Published in both Provinces in the usual manner.

This Letter shall trouble Your Lordships with the Affairs of the Jersies only, The Paper Markt A i is a List of the Acts passed there in the last Sessions 23- Publick and 15- -private ones. I know as near as I can Judge that none of those Acts are contrary, but conformable as much as can be to her Majesties Instruc-

tions for which reason Yo^r Lord^{ps} will not be troubled with reading many Remarks. Our Men of Noise have Exerted their Talent against the Act, that y^e Solemn Affirmation of y^e People called Quakers &c Yo^r Lordships well know that her Majesties Instructions to me are positive for Endeavouring to procure and pass such an Act, Which of itself is sufficient reason to me for soe doing, but the State of that Province absolutely Requires such One, that People being by farr the most numerous and wealthy in the Western Division, and as I may affirm upon Experience the most Dutyfull. There are besides some Acts relating to the Practice of the Law, which the Lawyers and none but They Cavil at. The Practicers of Law (for there is not a Lawyer in the Country) were by their Illegal Exactions and unwarrantable Splitting and Spinning out of Causes, become the only remaineing Grievance in that Country, the Ordinance and y^e Law Enforceing y^e Observation of it with the other Acts for Regulateing their Practice were ment and framed to prevent for the future these abuses. Your Lord^{ps} can never be Induced to believe that the unreasonable gaines of a very few can outweigh or over Ballance the quiet and prosperity of a whole Province, soe I need say noe more upon that head.

The Act Laying a Duty on Slaves is Calculated to Encourage the Importation of white Servants for the better Peopeling that Country, a Law something like that in Pensilvania haveing evidently had that effect.

That for laying a Duty on Wheat Exported is for the Encouragement of their own manufacture of Bolt-ing, that they themselves may have the benefitts Arrising from their own produce.

That for Confirming Conveyances of Land, made and to be made by Wills and powers of Attorney was Judg'd absolutely necessary, for in a New Country the Proprietors of which live for y^e greatest part in Eng-

land, where also the Original Grants and Deeds remaine, without such a Law noe Man will Venture to purchase Lands or can be safe in his Purchase if he should.

There are amongst the Private Bills two, for Naturalizing three persons Inhabitants of that Province, M^r Baird is a very worthy and Ingenuous Man, and One of the most Considerable Traders in that Country, and very usefull to y^e Government Which are sufficient Inducements to reco'mend his Act to her Majesties Approbation.

I Acquainted M^r Popple of y^e reason which Induced the Assembly there to settle the Support of Government for a shorter time than they had proposed, when these Apprehensions are over and the Malitious designe of such Insinuations more aparent as they already beginn to be, I make noe doubt of Settling that other matters in that Province in a manner Agreeable to her Majesties Interest and Your Lord'ps desire.

The Act for Ascertaineing and Settling the property of Lands comeing in late in that Session, miscarried for want of being rightly understood, The tenures in the Western Division are soe doubtfull or precarious (occupansey being one of their best titles) That it must either remaine unpeopled, or the People be involved in unextricable Law Suites and Confusion without such an Act which I shall Endeavour to procure next Assembly.

M^r Sonman's sometime of her Majesties Councill in the Jerseys haveing as I formerly Inform'd Your Lord'ps stole and Conveyed away out of the Province all y^e Publick Records, thought fitt after haveing for some time absconded to Convey himselfe to England, Where he has Employ'd much time in Writing over malicious and false Reports to Alarm the People, and in as much as in him lyes to Continue y^e Confusion which he Cheifley Raised there, soe I firmly hope he

can neither find Credit with or Countenance from Your Lords'ps howsoever he comes Recommended,

I shall at my next going to the Jerseys Endeavour to open a Court of Chancery there which is Indeed much wanted. I humbly Recommend mysele to Yo^r Lordships Patronage and am with the Greatest Honour

My Lords Your Lordships most humble
& most Obed^t Servant.

RO: HUNTER.

Dr. Daniel and Mr. Samuel Coxe of London to the Lords of Trade—against the renewal of Governor Hunter's Commissions.

[From P. R. O. B. T., New Jersey, Vol. I. C 129.]

To the Right Hon^{ble} the Lords Commissioners
for Trade & Plantations.

REASONS humbly offer'd by Doc^r Daniel Coxe &
M^r Sam^l Coxe Citizen of London ag^t renew-
ing the Commissions of Coll Hunter y^e
present Governour of New Jersey & New
York—

May it Please your Ld^{ps}

Being informed that Coll Robert Hunter the present Governour of the Severall Provinces of New York & New Jersey in America is now applying by his Friends to have his Severall Commissions renew'd to prevent which We humbly begg to lay before your Lordships the grievances & oppressions his Majestys Subjects of y^e Said Provinces have suffered & are like to do under his Administration to Satisfy your Lordships of which we are ready to make it appear when ever your Ldps shall please to permitt us.

That he hath all along Acted in a very Arbitrary manner contrary to the Laws of Great Brittain without any regard to his Instructions (which he hath frequently broke thro) & to the power & Authority given him by his Commissions.

That he hath delayd & perverted Justice, taken upon himself in an illegall manner to dispense with an Act of Assembly & also by misrepresentac'ons impos'd upon the late Queen's clemency & goodness which induced her (to the great detriment of the said Provinces) to pardon severall Notorious murtherers, & other Malefactors.

All which we doubt not to make so clear y^t your Ld^{ps} may be prevaild on to put a Stop to the renewing of the said Commissions by representing this case to his Majesty whose many Princely Virtues, but especially celebrated Justice & Mercy gives us certain hopes of redress & that the present Governour Shall not be continued to oppress his Majestys good Subjects whom he ought to protect.

DANIEL COXE
SAMUEL COXE

14th Jan^r 171⁴/₅

Letter from the Earl of Clarendon [Lord Cornbury] to the Lords of Trade—about certain acts of New Jersey Assembly.

[From N. Y. Col. Docs., Vol. V, p. 398.]

My Lords

Your Lordships having signified to me by your Secretary M^r Popple, that I should this day lay before you in writeing my objections against two Acts of Assembly, the one past at New York in America Intituled an Act for Payment of the Debts of the Government of

New York and the other past in New Jersey In America Intituled an Act to enable Thomas Gordon Esq^{re} Treasurer of the Province to pay the sum of £999. 13^s 3^d towards the support of the Government, and for discharging y^e said Treasurer thereof, before I enter upon the objections I have to make to those two Acts, I must acquaint your Lordships that at the time Her late Majesty was pleased to recall me from those Governments several sums of Money were then, and still are, due to me in the Province of New York, both upon account of my salary as Governor, and upon account of severall disbursements made by me for the service of the Governm^t Now I am informed that the Act above mentioned past at New York is so unjust in its nature as to direct the Payment of considerable sums of money where none is really due, and allows to other just debts, to some one half, to others a third, to others a fourth part, and to others nothing, nay, I am informed that there is a Clause in that Act, that says, no demand shall be made for any Debt not there provided for, which is plainly excluding me who was not upon the place to make any demands, though my Demands are never so just, this will be found to be the case of others as well as myself, I am informed farther that by this Act there is a gratuity given to every member of y^e Assembly for this Act, and peticularly to M^r Morris for drawing it a thing never before heard of in that Government, and which must be attended with very ill consequences, these are the reasons I have to offer to your Lodps against this Act at present, not haveing yet seen the Act, but if I may have a copy of it from M^r Popple, which I desire your Lordships will please to order I may I do not doubt but I shall be able to offer more reasons to induce your Lordships to advise His Majesty to reject this Act so injurious to many people

Now give me leave to inform your Lordships that

on the 29th of July 1703 to the best of my remembrance, I received at New York the late Queens commission under the broad seal of England constituting me Governor of New Jersey, it was about sixteen months after that before I could prevail with the Assembly of that Province to settle any Revenue and then they settled it but for two years, so that I served in that Government upwards of three years, without receiving any salary as Governor, but on the contrary was forced to disburse severall sums of money, out of my own Pocket for the service of that Government, which are still owing to me, because the Assembly of that Province have not settled any Revenue since the two years above mentioned expired. Now by the Act lately passed in New Jersey they take upon them to dispose of a sum of money remaining in the Treasurers hands. Out of a greater sum granted to the late Queen, for the Expedition against Canada and which is the first sum of money that I or anybody else could make any demand upon, first I say that the Assembly have no power to dispose of that money, because it is the money of y^e Crown, and to be disposed of by the Crown only, secondly, I say it is by this Act ordered to be paid to the Governor, which is contrary to his instructions, thirdly this Act discharges the Treasurer his Heirs &c from being accountable for the said sums, whereas by the Governors Instructions all moneys granted to the Crown by the Assembly of that Province are to be accounted for to the Treasury here in England, these I hope will be sufficient reasons to induce your Lordships to advice His Majesty to reject this act tho' I don't doubt but when I see the Act, I shall be able to offer more good reasons against the said Act, I am

My Lords Your Lordships
mo faithful humble Serv^t

Somerset House

CLARENDON

Febry 8. 171¹/₂

*From the Lords of Trade to Mr. Secretary Stanhope,
with Drafts of New Commissions to Governor
Hunter.*

[From P. R. O. B. T. New Jersey, Vol. XIII, p. 177.]

To the R^t hon^{ble} M^r Secre^y Stanhope.

S^r:

In Obedience to his Maj^y's Commands, Signify'd to Us by your Letters of the 25th past, We have prepar'd y^e Draughts of Comissions for Robert Hunter Esq^r to be Cap^t General, & Governor in Chief of his Maj^y's Provinces of New York & New Jersey in America, w^{ch} We herewith transmit to you to be laid before his Majesty in Council. And in further Pursuance of his Majesty's Pleasure, we are preparing draughts of Instructions, as usual, for the Said Roberts Hunter's Guidance in those Governments. We are,

S^r Your most obedient and most humble Servants,
Whitehal
Feb^y 11th 171⁴;

BERKELEY,
RO^t MOLESWOTH,
ARCH: HUTCHESON,
CHA: COOKE,
P: DOEMINIQUE.

[The Commission of Colonel Robert Hunter as Governor of New Jersey, renewed in consequence of the death of Queen Anne, does not differ in any important particular from that received by him in 1709, and it has not therefore been thought necessary to insert it in this connection.—See page 1. The same remarks will apply to the Instructions which were issued on the 6th May following. They differed but little from those printed on page 1 *et seq.* —Ed.]

*Letter from Dr. Daniel Cox to the Lords of Trade—
Remonstrating against the Re-appointment of
Governor Hunter.*

[From P. R. O. B. T. New Jersey, Vol. I. C. 133.]

To the Right Hon^{ble} the Lords Commissioners
for Trade & Plantations

Further reason against renewing Coll Hunters
Commissions for the Governm^{ts} of New
York & New Jersey humbly offered by
Doct^r Dan^l Coxe & his Son Sam^l Coxe

May it please your Ld^{ps} :

Having already humbly offerd to your Ld^{ps}. reasons why the Commissions of Coll Rob^t Hunter the p^rsent Gov^r of New York & New Jersey should not be renewed, (pursuant to your Ld^{ps}: directions) we now further presume & present the following particulars in order to make out the Gen^l charge at that time Left with your Lordships which we should have been enabled to have done more fully & much sooner, had not (to our great surprise & as we with humble submission take the liberty to suppose against all common right) the Copys of Coll Hunters Commissions, some of his Instructions & the Extracts of two of his letters, been denyed us.

What was then laid before your Lordships, charg'd Coll Hunter That he had all along Acted in a very Arbitrary manner, contrary to the Laws of Great Britain, without any regard to his Instructions, (which he had frequently broke) & to the Power & authority given him by his Commissions.

That he had delay'd, denyed & perverted Justice, taken upon him in an illegall manner to dispense with

an Act of Assembly, & also by Misrepresentations imposd upon the late Queens Clemency & goodness, which induc'd her (to the great detriment of the s^d Provinces) to pardon severall notorious murtherers & malefactors, which we hope will sufficiently appear to your Ld'ps in the following particulars.

Imp^{rs} He turn'd out the sheriff of Middlesex & sommerset in New Jersey & the sherriff of the Citty & County of New York before their respective years were expir'd, Contrary to the Laws of England, his solemn promise & without signifying any cause for his so doing to Her late Majesty & to the Commissioners for Trade & Plantations against the representac'on of one of the Gentlemen of her Majesty's Councill. & directly contrary to his Instructions.

2. *He* turn'd out most of the Judges & Justices of the Peace throughout the Province of New Jersey without signifying his cause for so doing to her late Majesty & to the Commissioners for Trade and Plantac'ons as by his Instructions he is Commanded to doe, & without giving any reasons to the persons turn'd out or charging them wth any crime or misdemeanor.

3. *He* appointed and put in severall new Judges & Justices of the Peace in New Jersey & New York, some not residing in the Province for which they were appointed, others not fitt for those employments, but all without the advice & Consent of her Majesty's Councill, expressly contrary to his Instructions.

4. *He* has permitted te sitt & Act in the Assembly of the Province of New Jersey without qualifying themselves According to the Laws of England, altho such persons are by his Commission & Instructions for the s^d Province particularly made incapable.

5. *He* has past all the Laws Enacted by the Assembly of both Provinces in a Stile directly Contrary to his Instructions, altho otherwise advised by Her Majesty's Councill.

6. *Not* one of all the Acts of Assembly for raising money or Value of Money which he has past have been framed According to the Stile of Acts of Parliament in England nor such money or Value of money in the s^d Acts mentioned to be given or granted to the late Queen with the humble desire of such Assembly &c as his Instructions particularly require & Command.

7 *He* has p'mitted uery great sums of money to be Issued & disposed of directly contrary to his Instructions.

Nor hath he taken care that books of Accounts of receipts & Payments have been duly Kept & fairly attested upon oath; nor transmitted such books to the High Treasurer or Commissioners of the Treasury for the time being, & to the Commissioners for trade & Plantions as by his Instructions he is enjoyn'd to do

And hath also permitted a clause to be inserted in an Act of Assembly of New Jersey whereby the Estate of the Treasurer hath been for ever acquitted, exonerated & discharged from a great sum of money then in his hands altho the same was never accounted for here likewise contrary to his Instructions.

8. *He* hath past severall Acts of Assembly in both Prouinces directly repugnant to the laws of England, which his Commissions & Instruction expressly forbid.

9. *He* hath arbitrarily imprisond, injurd the Freehold, & taken away the goods of severall of the inhabitants of New Jersey, not only without any law to Justify him, but directly repugnant to the laws of England & Contrary to his Instructions.

10. *He* hath erected Courts or officers of Judicature in the said Province of New Jersey, not before erected & Establisd. to the great detriment of the Inhabitants, whereby Justice has been deny'd & perverted contrary to the Laws of England & his particular Instrucc'ons.

11 *He* hath very much injurd & oppressed the Inhabitants of New Jersey by the great delay of Justice, occasiond by his not calling a Councill in 2 years

time, tho many writts of Error were depending before the Councill, & by adjourning the Supream Court of New Jersey without advice or Consent of her Majesty's Councill, for a whole Term, which is contrary to the Laws of England (expressed in Magna Charta) to which by his Commission he is to keep as close, as can be.

12. *He* hath illegally orderd the restitution of the goods of severall persons which (pursuant to an Act of Assembly of New Jersey made before he was Governor) were regularly destrained.

These may it please your Ld'ps: are some few of the many mismanagements of Coll Hunter, which we can clearly prove. And many more equall, if not greater weight we question not fully to make out if from your Ld'ps goodness & impartiall Justice we might obtain a Copy of his Commissions, some of his Instructions, & the extracts of the before mentioned two Letters w^{ch} favour has been granted to others, & which with humble submission we concieve ought not to be deny'd us.

Feb^y y^e 21st 17th

DAN: COXE

*From Governor Hunter to the Lords of Trade,—on
the state of affairs in New Jersey.*

[From N. Y. Col. Docs., Vol. V, p. 359.]

To the Right Hon^{ble} the Lords Com^{rs} for Trade
and Plantations

My Lords

Not having received any directions from your Lordships or the present Ministry since his Majesty's happy accession to the Crown,¹ except what was picked up

¹ George I was proclaimed by Governor Hunter in New York and New Jersey in October preceding.—N. Y. Col. Docs., V, p. 380.—Ed.

from the wreck of the Hazard Sloop. I am at a loss what to write, only in general I must inform your Lordships, that by the choice made of representatives for both Assembly's here, I have to much reason to expect little besides confusion in both Provinces, The Jerseys are so divided about their claims and Titles to lands, that whatever party in the Assembly, will expect to be gratify'd by some acts in favour of their claims, befor they consent to do any thing for the Government. M^r Cox who is the sower of sedition, has got himself chosen by those who are link't to him by land purchases, on purpose to make confusion he is indeed capable of nothing else, he has done what in him lay to raise tumults and has hitherto escaped prosecution and punishment by the means of the two infamous officers of the Government, the Attorney General and Secretary, the first of whom I was laid under a necessity of suspending, and [as?] your Lordships will [have?] perceived by the inclosed minutes of Council and must immediatly take the same measure with the other, or suffer that Government to be trampled upon & stuck, I think my Lords I may now without a crime speak out, those two with their abettors have acted no otherwise than as they were prompted all along from the other party by a late Governor of these provinces, and his agents on this side, and that very avowedly, the people being incessantly threatned and frieghtned with his restoration, that freight how groundless soever, even at that time, had some effect, but I thank God it is now over, how far Cox may work upon the ensuing Assembly by the means I have already mention'd. time will show.

I shall whilst I live retain a just sence of your Lordships Justice to me, and your endeavours for my relief, tho' for reasons that I can not dive into, they have hitherto proved ineffectual, but as matters stand at present, I must conclude it impossible that the

wretched condition of this Government should be any longer overlooked or neglected at home for I must with confidence affirm that some men in my station would have made concessions of any kind, how prejudicial soever to the interests of the Crown, rather than be reduced to that misery that I have groaned under these five years past, if it may be of any service to His Majesty or the publick, that I should continue to beg my daily Bread of those who take pleasure in my sufferings I submit with pleasure. I know your Lordships are of another opinion, which encourages me humbly but earnestly to obtest your Lordships again to use your endeavours for a settlement here by Act of Parliament, as Her late Majesty was pleased to direct, for I can stake my life and fortune upon't that never any can be obtained on this side, but from Year to Year, and that not half sufficient to answer the ordinary and necessary expence of Government, the funds for this last year not compleating one half of their own scanty allowance.

And if ever such a precarious provision is made it must be upon such conditions that a man who has in the least measure the intrest of the Crown at heart, can never assent to.

I shall not further trouble your Lordships at this time, but as you have been hitberto my most worthy Patrons and protectors, having to my knowledge not so much as in a thought rendred myself unworthy of it, I must most humbly intreat that you'll beleive that I am with an unalterable duty and all imaginable honour.

My Lords Your Lordships

most faithful and most humble Servant

RO: HUNTER

New York March 28. 1715.

Mr Mompesson our Chief Justice is dead, I have commissioned Lewis Morris Esq^r in his room for these

reasons amongst others, that he is a sensible honest man, and able to live without a salary which they will most certainly never grant to any in that station, at least sufficient to maintain his Clerk. I have in the room of M^r Griffith granted a Commission to Thomas Gordon Esq^r heretofore Chief Justice.

*From Governor Hunter to Secretary Popple about
Rev. Mr. Talbot, of Burlington, and Messrs. Griffith,
Core and Basse.*

[From N. Y. Col. Docs., Vol. V. p. 401.]

To W^m Popple Esq^r

Sir

[Extract]

* * * * * I have been obliged to turn out that vile fellow Griffith, the Attorney General of the Jerseys, who has been all along an impudent tool of Lord Clarendon's, and that noisy fool Cox has betray'd the publick service so avowedly, that I verily believed he had orders from home to do so, M^r Talbot has incorporated the Jacobites in the Jerseys under the name of a church, in order to sanctify his sedition and insolence to the Government.¹

That stale pretence is now pretty much discused and I am easy and shall make them so in spite of themselves. Cox, Griffith and Bass are his main prop's, if the Society take not more care for the future than has been taken hitherto in the choice of their Missionaries, instead of establishing Religion, they'l destroy all Gov-

¹ This accusation against the Rev. John Talbot was transmitted by the Lords of Trade to the Society for Propagating the Gospel, and by their Secretary to Mr. Talbot, that it might be answered. It was so by Jeremiah Basse, the Church Warden, and Mr. Talbot himself, and the charge considered effectually refuted. See Dr. Hill's History of the Church in Burlington, pp. 137-145.—Ed.

ernment, and good manners. I have not time to add more, but that I am very heartily,

Sir Your most obliged humble Servant

New York April 9, 1715

RO. HUNTER.

Letter from Governor Hunter to the Lords of Trade.

[From P. R. O. B. T., New York, Vol. LIII, p. 352.]

To the Right Hon^{ble} the Lords Com^{rs} for Trade
and Plantations

My Lords

[Extract.]

When the Assembly here has done, or done nothing, I am to attend that in the Jerseys, The Copy cast to them by this will have influence on that: For M^r Cox, by the Surprize of an Inundation of Swedes has got himself Elected in one of the Counties, and the many assurances from him all over that Province that I was actually superseded has had great influence over the Elections in some other Counties, as to the persons when they find that they have been imposed upon he may be disappointed in his Expectation but I dare promise nothing from the choice which is made

As to the Caveat given in by his Father and Brother, I have nothing to plead to't more than if they had accused me of Murder and Treason, that is the General issue not Guilty: But I must humbly intreat your Lordships to give Orders that the Original may be Kept Safe until it pleases God to Send me to England, for Obvious reasons:

Thus humbly Submitting my Actions to your Lordships Scrutiny my Endeavours and intentions to your favorable construction and my woful condition to your Compassion, I beg leave to Subscribe my Self.

My Lords Your Lordships most faithful

and most humble serv^t

New York May 21st 1715

ROB: HUNTER

Letter from Governor Hunter to Secretary William Popple.

[From P. R. O. B. T. New Jersey, Vol. II, D 1.]

Letter from Brigad^r Hunter Gov^r of New Jersey &c to y^e Sec^{ry} relating to y^e L^d Clarendon's objections to an Act for applying 999£ for Support of that Gov^t

To William Pople Esq^r

New York May 21 1715.

D^r S^r

Having wrote particularly to their Losps about the L^d Clarendons Caveats, For they are all his, I shall only add to you to be communicated to them If there be Occasion that his Exceptions Agst the Jersey bill is as ill grounded as the other for when his Emisarys In the Council Cox Sonmans Etc: had made it Impracticable to hold an Assembly there to Any purpose I was forced to wait Her Ma'tys pleasure about their removeal which was so long in procuseing that the Countrey was in arrear to the Government In a greater Summ and upon Stateing And takeing the Acc^{ts} of y^e Expeditions With other Acc^{ts} of Taxes the Assembly found a balance of so much remaining In their Treasurers hands w^{ch} by a special Act was given to me In So much of that which was Indue to me, I believe his Lo^{sh} would not have ask'd for an Act of Assembly In Very deed And the King never have been the Richer for it but it is all I have for my Sellary for that Time and when His Ma'ty Approves the Act It is his gift. I know not if any thing be due to him there but I'm Sure he has given me no Reason to Solicite his

payment. I beg the favour of the Continuation of that Friendship which has Stood me in So much Steed perhaps one day I may be able to Return it.

D^r S^r I am wth the Greatest truth

Your most Obliged Humble Servant

Ro: HUNTER.

W^m Pople Esq:

Letter from the Lords of Trade to the Bishop of London—relating to the character of Missionaries.

[From P. R. O. B. T., New Jersey, Vol. XIII. C., p 301.]

To the Right Rev^d Father in God, John Lord
Bishop of London.

My Lord

We find by Letters from the Northern Continent, that several Nations of Indians have been desirous of Protestant Missionaries to instruct them in the true Religion, Upon which We must observe to your Lordship, that it seems to Us very necessary the Persons sent over for that purpose, shou'd be of unspotted Characters, & whose Lives & Conversations ought to be unblamable, But We have frequently received Accounts of some of them very different from that Character, w^{ch} rather admisters Occasion of Scandal than contributes to the Propagation of Christianity, and particularly We have rec'd a Letter from Brigadier Hunter, Governor of New York & New Jersey (an Extract whereof is here inclos'd) wherein he gives Us a Character of one who is now in the Jerseys; We cou'd not omit acquainting your Lordship therewith.

¹ See page 174. — Ed.

that your Lordship may give the necessary directions that persons of Piety, Principles, exemplary life, & well affected to his Majesty's Government, be sent for the future;

We are, My Lord Your Lordship's
Most obedient & most humble Servants,
Whitehal,
June 24th 1715

R: MOLESWORTH
JN^o COKBURNE.
JOHN CHETWYND.
CHARLES COOKE.
P. DOEMINIQUE.

*Letter from Governor Hunter to the Lords of Trade
—about New Jersey affairs.*

[From N. Y. Col. Docs., Vol. V, p. 416.]

To the Right Hon^{ble} the Lords Com^{rs} for Trade
and Plantations.

[Extracts.]

My Lords

* * * * * The long session here has obliged me to adjourn the Assembly in the Jerseys till the harvest is over, that is to the first of September, what is called the Western division in that Province is in danger of confusion by the means of Mr. Cox & his party. The paper marked D. will inform your Lordships in part, of their present dispositions, the grand Jury have presented and the Justices bound over the signers and promoters of it, when the affairs in this Province [New York] shall give me leave to attend these in the other. I'm confident I shall make all easy there, there being no real ground for their uneasiness, unless it be in their nature, for they are all from New England who

have signed it, but whether they be a true sample of the body of the people their, or only a sett of unquiet and restless men, who could be easy no where, and so left that Province for this, I cannot determine but this I confidently affirm that all the oposion and vexation I have met with in both these Provinces has been in a great measure owing to those who have come to us from that, * * * *

I formerly acquainted your Lordships with the death of Mr Hempesson [Mompesson] and that I had Commissionated Lewis Morris Esq^r Chief Justice in his room, conceiving him to be the fittest person for that trust in this place. * * * *

I am My Lords Your Lordships

most obedient humble Servant

New York July 25th 1715

RO: HUNTER

Paper Subscribed by several Inhabitants of New Jersey, Signifying their Refusal to pay Francis Pagit, acting as Constable, any mony assessed on them by a Person alledged to be a Roman Catholick. [referred to in foregoing letter.]

Wee whose Names are under Written do Utterly Denie to pay or Suffer to be taken by Distress or any other ways any money Goods or any other thing by Frances Pagit our so called Constable Because wee Doubt of his Being a Lawful Constable & more especially Because wee have been Illegally Assesed by an Asseser who being a Known & open profest Roman Catholick which is Utterly Repugnant to the Laws of Great Brittain & Contrary to y^e Rights & Liberties of of his Royall Maj^{ties} faithfull Subjects & if wee Submitt To Suffer or Acknowledge any such Roman

Catholick to Usurp or bare any place in office of proffitt
or trust Among us wee Should Count our Selves Tray-
tors to his Maj^{tie} our King & all True Protestants

Thomas Maskell ————	} Zebulon Statthem
Joseph Denes —————	} Jn ^o Candler -
Jonathan Dennies J ^r ———	} Thomas Statthem -
Sam ^l Dennis —————	} Christ ^r Fitzrandolph - . .
Rob ^t Robins —————	} Thomas Twigg -
W ^m Bacon —————	} John Bacon -
Joseph Bacon —————	} W ^m Wattson -
Sam ^l Bacon —————	} Enoch more -
Peter Fitzrandolph ———	} Joseph Simkins -
Thomas Craven ————	} Seth Smith -
Jacob Tapping —————	} Alex ^r Foreman -
Richard Smith —————	} Jn ^o Cook -
Charles Dennis ————	} Rob ^t Alexander -
Philip Statthem ————	} Joseph Alexander -
Alex ^r Smith Jun ^r	} Jn ^o Reed -
Peter Cravon ————	} David Sayre -
Robert Tullie ————	} Josiah Filhing -

Vera Copia

JOHN ROLFE Clerk.

*Letter from Governor Hunter to the Lords of Trade—
acknowledging the receipt of his Commissions.*

[From N. Y. Col. Docs., Vol. V, p. 419.]

To the Right Hon^{ble} the Lords Commiss^{rs} for
Trade & Plantations

My Lords

[Extract.]

* * * * * I have lately received my Patents
for the Govern^t of these Provinces.¹ I am amazed to

¹ His Instructions were approved by the King in Council June 15th, and David Lyell added to the Provincial Council at the same time.—Ed.

hear of the opposition some men made to their passing, and the more so because there is not one man found out hitherto in either Province who does not in terms renounce and deny having any hand directly or indirectly in instructing or encouraging these men who have given themselves and my friends all this trouble, I know at all of Sam and Dan: Cox citizens but as to Mr Sonmans I have formerly informed your Lordships that he had fled from prosecution for having carry'd out of the Province of New Jersey and imbezeled all the publick records which were seized by an accident at Burlington in their passage from New York to Philadelphia under a permit as a chest of goods, he is indeed one of the most infamous men in those parts, and his life and conduct is so foul to be the subject of any letter which your Lordships are to read.

The other person the Rev^d Mr Vesey had laboured hard for a persecution ever since I had the honour to Govern here, but to no purpose, so at an interview between him and a very great man then at Boston it was resolved that he should go for England and cry out fire & church at all hazards, and accordingly he went in the manner your Lordships have heard, but that plot in all other of its parts so well concerted happen'd to be deficient in the point of time & season and the rage of disappointed politician prompted him to join in these impotent and unchristian efforts against me, He has wrote to his friends here that he is to return with the character of Commissary to the Bishop of London, I have wrote to his Lordship that I can hardly believe it, since there is a happy issue put to the confusion at home, it is to little purpose to propagate what was by the means of that man raised here, which cannot be his Lordships intention tho' it may have that effect.

There are wanting three Councillors in the Jerseys in the room of Mr Quarry, Mr Mompesson and Mr Hall deceased, I humbly recommend in their rooms David

Jamison the Chief Justice of that Province David Lyel a proprietor there and John Bambridge another proprietor of the Western division I have recommended George Clark Esqr in my former to the place vacant in y^e Council of New York by the death of M^r Mompesson. * * * * *

My Lords Your Lordships most humble
and most obedient Servant
RO: HUNTER.

New York Aug: 13th 1715.

Order in Council Relating to the Payment of a Certain Sum of Money by Thomas Gordon

[From P. R. O. B. T. New Jersey, Vol. II, D 8.]

Order of Council, for confirming an Act of New Jersey, to enable Thomas Gordon Esq^r Treasurer of that Province, to pay the sum of 999. 13. 8 &c.

At the Court of St Jamess the 31st Day of August 1715 Present

The Kings Most Excellent Majesty in Council

Whereas by Commission under the Great Seale of England the Governour Council and Assembly of His Maj^{ty} Province of New Jersey in America are authorized and empowered to make constitute and ordaine Laws Statutes and Ordinances for the Publick Peace Wellfare and Good Governm^t of the said Province which Laws Statutes and Ordinances are to be as near as conveniently may be agreeable to the Laws and Statutes of this Kingdome And to be transmitted to His Maj^{ty} for His Royall approbation or Disallowance of them: And whereas in Pursuance of the said

Powers a Law past in the General Assembly of the said Province the 16th of February 1715 hath been transmitted from thence the Title whereof is as follows viz^t

An Act to enable Thomas Gordon Esq^r Treasurer of this Province to pay the sum of nine hundred ninety nine Pounds thirteen Shillings and three Pence towards the Support of the Government, and for discharging the said Treasurer thereof

Which said Law having been perused and well considered by the Lords Commissioners for trade and Plantations and by them presented to this Board with their humble opinion that the same be confirmed: His Ma^{ty} in Council this Day taking the same into Consideration is graciously pleased with the Advice of his Privy Council to declare his Approbation of the said Law and Pursuant to his Maj^{ty}'s Royall Pleasure thereupon, the said Law is hereby confirmed finally enacted and ratified accordingly.

Vera Copia

CHRISTO^R MUSGRAVE

*Letter from Governor Hunter to Secretary Popple—
Relating to Certain Appointments by the Bishop
of London.*

[From the N. Y. Col. Docts. Vol. V. p. 450.]

To William Popple Esq Sec^{ry} To the Right
Hon^{ble} the Lords Com^{rs} for Trade and Plan-
tations

Sir

[Extract.]

* * * * The Bishop of London I hear has appointed M^r Vesey his Commissary here, at least he writes so to his friends I hope his Lordship has also

constituted Talbot¹ his Commissary for the Jerseys & Phillips for Pennsylvania, these being the three Clergymen mentioned in mine to my Lord Stair, and then I shall know what he means, the best on't is that tho' I know no good they have ever done I know no great hurt they can do at present * * * *

Your most obliged friend & humble Serv^t

New York October 10th 1715

ROB: HUNTER

*Letter from Governor Hunter to Secretary Popple—
Respecting Certain Proceedings of Rev. Mr.
Vesey.*

[From P. R. O. B. T. New Jersey, Vol. II, D 12.]

Letter from Brigad^r Hunter, Gov^r of New Jersey, to the Secretary, relating to the ill Character & Behaviour of M^r Vesey, the Bishop of London's Commissary in these parts.

Perth Amboy y^e 9 Nov^r 1715

D^r S^r

Haveing wrote a very Long letter to their Lo^{ships} whilst at New York I am asham'd to give them fresh trouble here, but must Intreat you In my Name to be a Suiter to their Lo^{ships} for their Protection against a Persecution that I am not able to bear

Since I arriv'd here the Rev^d M^r Vesey came hither with a letter from My Lord of London acquainting me that his Lo^{sh} had Constituted him his Commissary in these Parts and had directed him as Such to Inquire Into the truth of what I have wrote heretofore In Relation to M^r Talbot and his Congregation. It is notorious to everybody on this Side that In the late reign

¹ See page 209.

there was a plott Laid and measures concerted between M^r Talbot M^r Vesey and M^r Nicolson for my utter ruine. I have seen a letter under M^r Talbots own hand that he was to have gone to London but that M^r Vesey when at Boston had agreed wth M^r Nicolson that he should be the man. Talbot is too plaine a man to hide his dissaffection or ev'n the open profession of it. M^r Vesey has never had or deserv'd any other Character than that of Sower Jacobite, and as I have formerly wrote stands on record in the Council books at New York for base and Indecent Language of his Sovereign King william whilst upon the Throne an Extract of w^{ch} M^r Sec^{ry} Clarke will send you w^h this Now If I must at this time o'th day when I had Lay'd my account wth being made easy after all my Sufferings have my Conduct Canvas'd And my Veracity Submitted to y^e Scrutiny of my Profest Enemies as well as of his Ma'tys Gov^t, I think I have the hardest fate of any man In his Ma'tys Dominions

M^r Vesey Enter'd New York In Triumph like his friend Sacheverel And Immediately on his arriveal assur'd every body that I had neither Intrest nor Friends at home. It may be so, but I have that within me w^{ch} will ever befriend me In Spite of all Such pitiful and base Efforts to my Prejudice. I know the Bishops Spleen and the Cause of it but was In hopes it was Long ago forgott.

If you Judge it proper to Show this to their Lo^{ps} or any of them I give you leave. If you think they can not help me Let it alone. I have demean'd my Self So that I should not be afraid of Submitting all my Conduct to a Jury of Clergymen So they be honest men. I have ever found you a worthy friend and what ever befalls me I can never without black Ingratitude be other than

Dr S^r Your most obliged and

Most humble Servant
RO: HUNTER.

*Letter from Governor Hunter to the Lords of Trade—
About Certain Acts of New Jersey Assembly.*

[From N. Y. Col. Docts., Vol. V. p. 461.]

To the Right Honble the Lords Com^{rs} for Trade
& Plantations.

My Lords

[Extract.]

There is also another Act passed in this Province and Jersey for shortning of law suits & regulating the practice of the law, another in this Province for preventing the multiplicity of law suits¹, which Acts the Judges and other Officers of the supream courts have represented to me as destructive of the Jurisdiction of those Courts: and being perpetual if more inconveniencies should be found, we have no remedy. The Assemblies in the Jersey's also past another act confirming the Ordinance for establishing Fees, which was drawn by a committee of the Council & Assembly and trenches much upon the fees & perquisites of the Secretaries office: It is aparent that it was the dislike of the person then in that office, against whom they had so often represented, which made 'em go these lengths.

There was also an Act passed, whilst Col: Ingoldsby Act'd as Lieut^l Gov: of the Jersey's, fixing the session of Assembly to Burlington, whereas by the tacit condition of the Surrender, It was to be alternately at Burlington & Amboy: It was approved by her late

¹ Under date of Feb. 25th, 1717-18, the Lords of Trade wrote to Gov. Hunter: "We send you here inclosed Mr Attorney Generals objections to the Act for shortning of law suits &c&c whereby you will see the necessity of getting another Act passed for that purpose. The Act for preventing the multiplicity of Law suits lies now before his Majesty with our opinion, for his confirmation, which we hope may be transmitted to you by the next conveyance."—Ed.

Majesty, but is attended with many inconveniencies, particularly the remoteness of the place, subjects the Governor here to much trouble and charge and when occasion shall so require, debars the Governor from holding the Assemblies of both Provinces at the same time, And that the Town of Philadelphia reap the chief benefit from the expence of the concourse on such occasions, that town being for the most part supply'd by the Philadelphia markets.

Quære, whether an instruction from his Majesty, may not be sufficient to suspend the execution of that Act, and to restore that matter to its former state, as by the Surrender.

There is one hardship which I have observed ever since I came into this country, which fall chiefly upon the poorer sorts: that is that there being no currency but of silver and bills of credit, the smallest of which is of two shillings, they have not the same relief from the ordinary markets as in other places; for this there is an easy remedy, if his Majesty would be pleased to grant it, there being a Copper mine here brought to perfection,¹ as you may find by the Custom house books at Bristol, where there was imported from this place about a Tonn in the Month of July or August last, of which copper farthings may be coyned, to answer their ordinary uses, if his Majesty will be pleased to grant a patent for that purpose, as I have more particularly inform'd and pray'd the assistance of Secretary of state.

* * * * *

I am with all possible honour and regard

My Lords Your Lordships

most faithfull and most humble servant

New York Nov^r 12, 1715

Ro: HUNTER

¹ Presumed to refer to the mine at Belleville, near Newark, N. J.—Ed.

*Letter from Governor Hunter to Mr. Secretary Popple
—relating principally to the Rev. Mr. Talbot and
Rev. Mr. Vesey.*

[From P. R. O B. T., New Jersey, Vol. II, D 13.]

Letter from Brigadier Hunter, Gov^r of N. Jersey to the Secretary.

Amboy the 14th Nov^r 1715

D^r S^r

I hope this may overtake the Ship at York that was to cary my Last

I have since I have been here rec'd a letter from M^r Sacket the director of the Tar-work Informing me that he has cut down and Split Several of the prepar'd trees and finds that they will not answer his hopes. whether this be from their Long standing after their due time Expir'd a wrong preparation, or whatever it be If the work is to be cary'd on there is an Absolute Necessity of Sending for men well Instructed in that matter from the Countreys from whence it is usually brought. for as I have often affirmed here are pitch pine Enough to furnish Tarr for Ever for all y^e Navigation of Brittain and by Constant and Long Experience we know that these trees yeild great quantitys of Turpentine. Tar is but the Turpentine burnt out, whereas that is tapt out as they call it. M^r Bridger I hope by this time has been call'd upon to give an account who it was who perswaded him to betray his Trust and that design.

I wrote to you In haste the other day after haveing receiv'd the Bishop of Londons letter by His New Commissary M^r Vezey, I now affirm to you againe that this is but a continuation of a Contrivance On the

Other Side to undo me by the means of Mr Nicolson and two or three factious and Jacobite Clergymen of which Mr Vezey and Mr Talbot were the Chiefe, I need not tell you what hand a Noble Peer at y^e head of a Party in the Society had in this, but to Convince you and all mankind of y^e Truth of what I affirm, here follows an Extract of Two letters wrote by Mr Talbot the Originals wrote and Sign'd by himsele lye now before me and If he denys 'em shall be produced The first is addressed to M^{rs} Anne Walker at James River Virginia and dated at Burlington July 17. 'I had the 'favour of 2 letters from you w^{ch} are always welcome 'to me and my Friends, Your Friend Jonathan is not 'fallen before the Philistins but hopes in god to see 'them fall before him and that in a litle time. Gen^l 'Nicolson has promis'd to be here in the fall and then 'he says he will make us all easy. He would not Consent to My Going home without leave of our Society 'least I should not come again, But Bro' Vesey y^e 'Rector of Trinity Church at New York is fled before 'the Philistins, He has gott the Generals letters 'tis 'now 3 weeks ago since he Sail'd, God Speed him well 'and then No More Need go upon that account Now 'there's no Minister of our Church at New York but 'we serve it by turns next moneth I shall be there. 'meanwhile I have Enough to do to Keep the peace of 'the Churches at Philad^a and New York we have so 'many Adversarys without and within but Never fear 'your friend Jonathan will never yeild to 'em so long 'as he has the Grace of God and y^e prayers of the Sts 'we are going to open a New Church at N. Bristol 'over against Burlington which I Intend to nominate 'S^t Ann's or S^t Marg^{ts} more for the Sake of your good 'family then any other of that Name that I know—

This is letter for letter as it stands in his Epistle. That w^{ch} Follows, In like maner in his own hand is directed To The Revnd M^r John Urmston missioner in

Nth Carolina to be left at M^r Blackamoers in Virginia dated Philadelphia July 17—

‘I thought you had been dead in that dismal Swamp
 ‘where there is hardly anything that is good as for
 ‘those things y^t you send here for I would send them
 ‘with all my heart but since you design to Remove
 ‘the best way is to come soon here are several Churches
 ‘vacant that you may serve and I will Ingage my
 ‘Intrest with the Society that they shall allow your
 ‘Sellary. General Nicolson sent a letter here last post
 ‘that He would be here in the fall. I can do anything
 ‘with Him and He with the Society. M^r Vesey is fled
 ‘for Persecution from New York So that Church is
 ‘destitute at Present only the Missionarys serve it by
 ‘Turns Next week we are going all hands to Open the
 ‘Church at New Bristol over against Burlington I have
 ‘sent to the Society for a Missionary for that and
 ‘Hopewell but first come first serv’d. Therefore make
 ‘the best of your way——

Now S^r what d’ye think am I in the Right or no.
 This I desire you May lay before their Lo^{ps}, You’ll ask
 me why not before the Bishop of London I’ll tell you
 why. There was a Representation to the Bishop Long
 ago Complaining of the dangerous Conduct of M^r
 Vesey particularly of his Arbitrary Infractions of their
 Charter Sign’d by all the Men of worth or figure of
 the English Church here all the Reply that has been
 made to ’t was that it was handed about here Imme-
 diately upon the news of M^r Vezey’s arrival at Boston
 wth the manerly title of y^r N York Monster many
 hands and no heads, and the Person Complain’d of
 Returns with the New Character of His Lo^{ps} Commis-
 sary wth orders from his Los^{ps} to Inquire Into the truth
 of what I had Represented to the Lords of Trade
 relateing to M^r Talbot’s and his own Conduct. The
 world knows that Talbot is a profest Jacobite: Nay he
 will not dissemble it. Vesey has more dissimulation

but never was reputed other wise by any Sober man which all his Conduct has sufficiently Evinc'd. I have told him that If the Bp of London would take care to make him a good Commissary I would Endeavor to make him a good Subject. This happen'd on his Accosting me here after his Splendid Entry at York, when I had read the Bps Letter I told him that My Ld of London had assur'd me that he was return'd with a disposition to make every body he was Concern'd with easy for the future, he Interrupted me and told me that it had ever been his Conduct, w^{ch} provok'd me but made y^e Company Laugh.

I am ashamed to dwell So Long upon this Subject, but it is of greater Consequence here then you at a distance can easily Imagine. The Jacobite faction here tho' few in Number are strong in Malice and the rage they have conceiv'd at their dissappointment makes them use all the vilest hidden arts in their power to make the Administration uneasy. If they continue to receive Countenance from the other Side they may grow in numbers too. It is not to be beleiv'd what I bore of these men during the late Ministry's time, being aware of what was projected, I'll give you but one Instance, I wrote to M^r Talbot as I had done to all y^e Missionarys at their own desire that they should meet at York to Adresse their new Bp I think. He return'd me for Answer, that there was a great Gulf between us so that they who would passe from us to you or you to us Cannot If their Lo^{ties} think fitt that I should Suffer in Silence under these affronts for y^e future, upon the Least hint from them I shall do So. In the mean time I am firmly Resolv'd by all Lawfull means to Stifle the growing Evil, In compliance wth my duty Let the Consequences to me be what they will I need not repeat that I am unalterably

D^r S^r Your most obliged and

most Humble Servant

RO: HUNTER

*From the Lords of Trade to Governor Hunter—About
New Jersey Matters.*

[From P. R. O. B. T. New Jersey, Vol. XII, p. 326.]

Letter to Brig^r Hunter, Governor of New Jersey &^c

To Ro Hunter Esq^r

March y^r 22^d 17th₁₆

S^r

Since our Letter to you of the 13th Instant relating to your Government of New York We have read yours to us of the 27th August 1714; As also those to our Secretary of the 21st of May & 14th of Nov^{ber} 1715 relating to New Jersey.

In your Letter of the 13th of August from New York You say that there are three Vacancies in the Council of Jersey & propose David Jamisson, David Lyol & John Bainbridge to fill up the said Vacancies, but upon examing your Instructions which you had not receiv'd when you writ that Letter, We find that David Lyol has already been put in, And that there is only one Vacancy by the Death of M^r Mompesson, And We shall immediately recommend either Robert Wheeler, or the aforesaid Bainbridge to supply that Place.

As to what you write in your Letter of the 12th of Nov^{ber} 1715, also from New York, relating to the Act for fixing the Sessions of Assembly in the Jerseys at Burlington. That Act having been confirm'd by her late Majesty the Execution of it can no ways be set aside, but by another Act the Preamble whereof is to set forth the Inconveniences of the present Act, and to pray his Majesty that it be repeal'd & that what is to follow be substituted in the Place of it.

We have not heard any thing of M^r Sonmans since his Arrival here in England, We are apprized of what you write concerning him & shall not fail of doing you Justice when he or indeed any else do apply to us.

The Act to enable Thomas Gordon to pay £999 &c having been confirm'd and the Order long since sent you, We have nothing to say in answer to your fore-said Letter to our Sec^{ry} of the 21st of May last, but that We send you a Copy of the said Order here inclosed least the Original should have mis carried.

In relation to the other Acts, We shall let them lye as probationary, unless we should find there is a Necessity of having any of them confirm'd or repeal'd: Upon this Occasion We must take Notice to you of the Want of an Agent to solicit the Affaires of that Province & particularly that the Persons concerned in the private Acts transmitted, have not directed any Persons here to solicit the Dispatch of them. We are obliged to send all such private Acts to M^r Attorney or M^r Solicitor Gen^l for their Opinion in Point of Law, and if there be no body here to follow such Acts they will not report upon them; and frequently upon the Removal of Attorneys or Solicitors the said Acts are liable to be lost.

As to M^r Vesey & M^r Talbott We have spoke & shall take such other Measures as M^r [we?] hope will make you easy in that Matter: so we bid you heartily farewell and are Sir

Your very loving Friends & humble Servants,

JN^o COKBURN

JN^o CHETWYND

CHA^r COOKE

JOS: ADDISON

JN^o MOLESWORTH.

From Secretary Popple to Governor Hunter.

[From N. Y. Col. Docs., Vol. V, p. 472.]

To Brig^r Hunter*Sir*

You will see by the Boards letter to you here inclosed that I have laid your Several letters to me before them, & by consequence that I have little to add to what their Lordships have writ, however something I shall say for your information—

As to the business of Vesey and Talbot, I hope in a little time you will be made easy in it; for the board have taken such measures by speaking to the proper persons that it seems reasonable to conclude these two gentlemen will not long be troublesome to you.

There are several of the New Jersey Acts, and particularly the private ones that require to be sent to the Attorney or Solicitor General, for their opinion before the Board can present them to His Majesty for his approbation. But there being no Agent here for that Province, enabled to disburse what may be necessary from time to time, those Acts will lye forever in their hands for want of such agent to pay their fees: It is y^e same case with respect to Councillors; For if the Board had reported (as they were inclined to do) that the persons you had recommended should be appointed Councillors by his Majesty, nothing would have been done therein, for want of a person to pay the fees in the Council & Secretaries Office. I could give you many more instances of the necessity of having Agents to transact the bussiness of each Province, but that I am satisfy'd you are fully convinced of it your self I am

Sir Your Most obedient humble Servant

W^m POPPLEWhitehall April 16th 1716

*Letter from Governor Hunter to the Lords of Trade—
About New Jersey Affairs.*

From P. R. O. B. T. New Jersey, Vol. II, D. 37.]

Letter from Brigad^r Hunter Gov^r of New Jersey &c

Amboy April 30th 1716

My Lords

This Letter relates to the Affairs of the Jerseys I wish I could with truth inform Your Lordships that matters are as Easy & quiet there as they are att New York att present but the restles Spirit of that turbulent Man Cox assisted by the furious Zeall of M^r Talbot has inflamed the Lower Rank of People to that degree that only time & patience or stronger measures than att present in my power can allay the heat.

I formerly Acquainted Yo^r Lordships That the Act for the Constant Sessions of Assembly att Burlington past by Collonel Ingoldsby when he assumed the Government after the death of the Lord Lovelace gave great inconveniencys & was of very ill consequence here I took the liberty to ask Your Lordships the question whether his Majestys Instructions would not be Sufficient to restore that matter to that Just & Equal foot upon which it was put upon by the terms & att the time of the Surrender of the Government by the Proprietors it was no Small Satisfaction to mee to find that Matter by his Majestys Instructions remedied & the alternate Sessions att Amboy and Burlington restored for I know not how Long it may be safe to hold Either Assemblys or Courts of Justice att Burlington As Your Lordships will perceive by the Inclosed Coppys of the Inditements by the Grand Jury there by which the Cheif Justice the President of the Coun-

cill & the Attorney Generall are indited for doeing their duty according to the Laws in force.

The Assembly being dissolved upon the Arrival of My New Patent Writts were Issued Out for a New Election when by the means of false suggestions fraudulent Conveyances and the Rum bottle the Persons abovenamed procured Such a return to be made as Induced the Councill & Every body who was a friend to the Government to advise a dissolution in Order to give the Country One Opportunity of making a fewer & better Cheifs as Your Lordships will now fully understand by the Inclosed Minutes of the Councill Mark't (G) which was accordingly done And Writts issued out for Another Election Matters are something Mended by the Last returns the Quakers having carried the Elections Against M^r Cox in the County of Burlington and now after much Struggle they are mett att this place according to the tenor of his Majestys Instructions M^r Cox Laboured hard to dissuade the members of the Western Division from comeing to Anboy but in Vain but by foul Insinuations carried An Address in that House to remove the Sessions to Burlington to which I Answered that his Majestys Instructions which are a Law to mee haveing restored that Matter to the terms of the Surrender I could not give My consent to Any thing that Might Elude the Intention of them without giving Juster ground of Complaint against mee than I had hitherto done

The Noise which that Man had made about dispenceing with Laws obliged me to take Some pains to State that Matter right for the Satisfaction of such of them as were Capable of Conviction but Seemed to retain some Scruples I told them that the Ascertain- ing the time & places for the Session of Parliaments as Well as Assemblys was an undisputed part of the pre- rogative and that Her late Majestys Approving of An Act confineing the Sessions to any One place could

bear no other Construction than that she was pleased to dispence with the Exercise of it in that Instance but could no wayes bind up her Royal Successor who had now by his Instructions to mee been pleased to put the affair again upon its former foot.

Your Lordships will observe that the Inditements Sent You are founded upon a Notion instilled into the People by some pernicious pretenders to Law here that the Act passed in this province some Years ago for qualifieing Quakers for Imployments by their Affirmation or Attestation was Actually repealed by the Act of Parliament passed in favour of that People in the first year of His Majesty's reign whereas 'tis as plain as words can make it that that Act Extends the Act made in the Seventh and Eighth of William the third to the plantations Only so farr as relates to y^e Affirmation And that it has no Negative but upon its Self The Words in the Act laid hold of for their pretence Are these *Provided and be it Enacted* that No Quaker or reputed Quaker shall *By Virtue of this Act* be qualified &c^a Now no Quaker pretends that he is by Virtue of that Act Qualified but he is well Assured that he is so by Virtue of An Act of Assembly passed some time agoe in this province by Her Late Majestys Speciall Instructions and never as Yet dissallowed or repealed I am sorry that Your Lordships must share the torture of persueing these men through all the Mazes of their folly & Mallice which I am laid under a Necessity of doeing or of Suffering a Whole province to be mislead and the Government to be trampled upon it was Confidently given Out by M^r Cox & his Party that all Laws past in the last Assembly in the Late Queens time were null & Void by reason of the Act for Trienniall parliaments that Assembly haveing Continued for a Longer time than three years this Absurd Notion gained Credit to that degre that many Absolutely refused to pay their taxes And M^r Cox the

head has never Yett paid one Penny but Suffered himself to be distrained and when I was last att Burlington his goods were sold by the Constable att Publick Outcry for the Value of fourteen Shillings the Extent of that Great Mans Yearly Tax

The Assembly is now mett att this place and Mr Cox was chosen Speaker by the same means he was chose Assembly man I know not but I may be Able to beat him wth his Own tools Att the Opening of their Session I spoke to them as in the Paper Marked (H) they have satt above three weeks but have done nothing I have been informed that he has Sent a Remonstrance through the Country for Subscription the Import of which is to desire his Majesty to put this province under a Separate Government God knows if it were consistent with my Duty I would heartily Join with them in that Supplycation but knowing it to be an Ill president and of dangerous Consequence I shall Endeavour to find it out or put a stop to it if it Goes home I hope Your Lordships will advise his Majesty to give it that reception it deserves Your Lordships will be att a Loss to Conceive how One man and he so weak should be able in Spite of Laws & Authority to embroil a Whole province but it is a truth tho' a paradox that An Abler man would not have done it for Palpable Lyes Contradiction and Absurdity backed with a Large dram botle have more force upon the minds of the lower Rank of men in these parts than Self Evident truths and their Own Interest it Self for that Man has for Six Years past published lyes with relation to the Government and Publick Affairs and Nothing but lyes which the People have by the Constant Events found to be so Yet they grow fond of the delusion and take party with the deceiver Cannot Your Lordships call to mind something like this practiced Else where Your Lordships will ask with good reason Why is he not punished I'll tell you why the

Quakers who are the only friends to the present Establishment in the County where he lives (thanks to the Reverend Mr Talbot) And Almost the Only men of Substance Sence and probity there are not Capable by the Laws of Serveing on Petty Jurys in Criminal cases the rest are his Associats & Abettors who by the Advice and Arts of that Vilest of Prostitutes Basse have defeated and are Still Able to defeat the Laws and render all such prosecutions of no other effect but upon Such defeat to bring the Government into Contempt I am now studying to detect his practices in other Countrys which If I can Accomplish I shall be able to deal with him

In the mean time to Strengthen the hands of the Government here I intreat Your Lordships to recommend to his Majesty's Approbation the Act Entituled An Act that the solemn Affirmation and declaration of the people called Quakers shall be accepted instead of an Oath and for qualifieing the said People &c^a which now lyes before you And to transmit that Approbation when Obtained as soon as may be

If Your Lordships doe not think fitt to advise A declaration of the Nullity of all the Laws past by M^r Ingoldsby during the time he possest himself of the Government after the death of the Lord Lovelace without Any Right or Title to the Same he haveing been Suspended by her Late Majesty from the Office of Lieutenant Governor Severall Years before that as Your Lordships will find it Entred in the Councill Book while S^r Charles Hodges was Secretary of State There are how Ever some of these Laws w^{ch} as unjust in themselves, and of Evil tendency Your Lordships will undoubtedly Judge ought to be disallowed As particularly An Act explaining An Act Intituled An Act for the Support of her Majestys Government &c by which Act the Mony Given to the Lord Lovelace by the Act which this pretends to Explain is given away to M^r

Ingoldsby and Others against all Justice and her Maj^{ty}s Express Commands There is also another Act Intituled An Act for the better qualifieing Representatives which was meant and Intended Only to Exclude some persons of the best Estates and figure in the provinces from the Assembly who for the Sake of their Childrens Education or other Conveniencys resided att York which as differeing widely from the Instruction for that purpose which have Ever been looked upon as the terms of the Surrender I hope you Lordships will Judge Necessary to be disallowed The Other Acts Passed during that time are Either Expired by their Own limitation Or their Intent Supplied by Subsequent Acts (upon all which I have amply observed heretofore by Order from Your Board) that a Generale declaration of their Nullity can be attended wth no ill consequence that I can foresee.

I shall be Obliged to give Your Lordships fresh trouble by the Next Conveyance with relation to the Proceedings of the Present assembly here to which time I shall reffer what further Accounts of the Affairs of this Province I have to lay befor Your Lordships having already trespassed too much upon your patience by this And shall conclude with assuring your Lordships that I am with all Imaginable honour Gratitude and regard

My Lords Your Lo^{ties} most

Humble And most Obed^t servant

RO: HUNTER.

*Indictment of Chief Justice Jamison—referred to in
the foregoing letter of Governor Hunter.*

[From P. R. O. B. T., New Jersey. Vol. II, D 28.]

Indictment ag^t the Cheife Justice of y^e Jerseys
Rec^d June 20th 1716.

BURLINGTON SS

The Jurors for our Sovereign Lord the King upon their Oaths do p^rsent That David Jamison¹ of the City of New York Esq^re Chief Justice of the province of New Jersey at A Sup^am Court of Indicture held at Burlington in the County of Burlington afores^d on Tuesday being the first day of Novem^r in the Second Year of the Reign of our most Gracious Sovereign Lord George by the Grace of God King of Great Britain France and Ireland Defender of the Faith &c There being an Act of Parliament made in the first Year of our s^d Sovereign Lord the King Entituled an Act for making perpetual an Act of the Seventh & Eighth Year of the Reign of his late Majestie King William the Third Intituled An Act that y^e Solemn Affirmation and Declarac^on of the People called Quakers Shall be accepted in Stead of an Oath in the Usual form and for Explaining and Enforcing the said Act in relation to the payment of Tithes and

¹ For notice of

A large, elegant handwritten signature in cursive script, reading "David Jamison". The signature is written in dark ink and features long, flowing flourishes, particularly at the beginning and end of the name.

Church rates and for appointing the form of an affirmation to be taken by y^e s^d people called Quakers instead of the Oath of Abjuration And a printed Coppy of the afores^d Act of parliament being then and there in the afores^d Court produced from the Kingdom of Great Britain and by Order and Authority of the afores^d Court then and there held and by Jeremiah Bass Esq. Clerk of the afores^d Court then and there was openly read & publish'd But the afores^d Chief Justice Jamison his Solemn oath for the observance of y^e Laws and Statutes of y^e Kingdom of Great Britain not at all minding nor his duty of allegiance towards our s^d Lord the King little regarding nor the Contemptuous Violation of ye afores^d Law and Statute of y^e Kingdom of Great Britain any manner of way fearing Advisedly Maliscously & of his own proper Maliscous Intention And Imagination to Draw the aforesaid Act of parliam^t into Question and Contempt These Seditious & Contemptuous English words (he the s^d Chief Justice Jamison upon y^e Bench then and there being) Did Speak and promulgate in the presence and hearing of Divers of his Maj^t'ties Liege Subjects (that is to say) that tho' it was a presumptuous Evidence meaning the afores^d printed Act) he took no notice of it and Accordingly he the s^d Chief Justice Jamison then and there in like manner Directed Jeremy Bass Esq^r Clerk of the afores^d Court to Qualifie the Grand Jury of the people called Quakers then and there by the Sheriff of y^e afores^d County returned by an affirmation and the afores^d Jeremiah Bass Clerk of the afores^d Court then and there objecting to him the s^d Chief Justice Jamison that there being an Act of parliament made in the first Year of King Georges Reign produced and published which Excludes the people Called Quakers from Serving on any Jurys and that I (meaning himself) make as much Conscience of breaking the Laws of England as they do (meaning

the s^d people called Quakers) of taking an Oath and I (meaning himself will not qualifie them for which for w^{ch} Loyal words by him the said Jeremiah Bass then and there Spoken and promulgated the afores^d Chief Justice Jamison declared him the s^d Jeremy Bass to be in Contempt and then and there fined him the said Jeremiah Bass Clerk of the afores^d Court and Secretary of the Province of New Jersey in the Sum of Twenty pounds and then and there Committed the Body of him the s^d Jeremiah Bass into the Custody of the Sheriff of the County aforesaid untill the afores^d Sum should be paid, And further y^e s^d Chief Justice Jamison did then and there (upon the Motion of M^r Henry Vernon Practitioner of Law Challenging the the array to A pannel of A Jury returned by Samuel Gouldy Coroner of the County afores^d he the s^d Sam^l Gouldy being of the people called Quakers And no otherways Quallified than by an Affirmation without the Usual Solemnity of an oath prayed the afores^d Court that the Pannel might be quashed in like manner Maliscously Contemptuously & publickly did Speak and promulgate these other Seditious & Contemptuous English words (that is to Say) that if he (meaning the s^d Henry Vernon) had nothing ag^t it but that Act produced in Court Yesterday of the first of King George tho' it was a p^rumptuous Evidence he (meaning himself) took no notice of it and allowed the afores^d Return to be Good against the oath of his office Contrary to the afores^d Act of parliament in that behalf made and provided in Grievous Contempt and Defamation of the Same And Against the Duty of his Allegiance to the Evil Example of others and also against the peace of our s^d Lord the King his Crown and Dignity &c

a true Copy

Billa vera.

JAMES THOMSON Cl

*Indictment of Lewis Morris, by the Grand Jury of
Burlington County, New Jersey.*

[From P. R. O. B. T., New Jersey, Vol. II, D. 29.]

Copy of y^e Indictment ag^t y^e President of y^e
Councill in ye Jerseys Referr'd to, in
Brigad^r Hunter's Lett^r of 30th April 1716.

BURLINGTON

The Jurors for our Sovereign Lord the King upon their Oaths do present That Lewis Morris of West Chester in the Province of New York Esq^r one of his Ma^t'ies Council for the Province of New Jersey at the General Court of Quarter Sessions of the peace of our Sovereign Lord the King held for y^e County of Burlington at Burlington afores^d on the Fourteenth Day of December Last past in the Second Year of the Reign of our most Gracious Sovereign Lord George by the Grace of God King of Great Britain France and Ireland Defender of the Faith &c Whereas Notwithstanding an Act of Parliament made in the first Year of the Reign of our said Sovereign Lord the King Entituled an Act for making perpetual an Act of the Seventh and Eighth Years of the Reign of his late Ma^t'ie King William the Third Entituled an Act that the Solemn Affirmation and Declaration of the People called Quakers shall be Accepted Instead of An Oath in the Usual form and for Explaining and inforcing the said Act in relation to the paym^t of Tithes and Church rates and for appointing the form of affirmation to be taken by the Said People Called Quakers Instead of the Oath of Abjuration &c and the afores^d Act of parliam^t being Extended to that part of his Ma^t'ies Dominions Called the Plantations Excluds Quakers or

reputed Quakers from Serving on any Jurys. And a printed Coppy of the afores^d Act of Parliam^t being produc'd from the Kingdom of Great Britain in his afores^d Ma'ties Supream Court of Indicature Held at Burlington in the County of Burlington on the first Day of November in the Second Year of his s^d Ma'ties Reign And by Order and Authority of the s^d Court then and there held by Jeremiah Bass Esq^r Clerk of the s^d Court then and there openly read and published. The s^r Lewis Morris Acting as one of the said Maties Justices of the peace in the General Court of Quarter Sessions aforesaid his Duty of Allegiance to our Said King Little regarding nor the Contemptuous Violation of the afores^d Law and Statute of the Kingdom of Great Britain any manner of way fearing Arbitrarily Advisedly Maliciously and of his own proper Malicious Intention and Imagination to draw the afores^d Act of Parliam^t into Question and Contempt Did in a most Arbitrary Manner and procedure order the return of a Grand Jury of the People Called Quakers after the s^d Grand Jury had been Dismissed by the afores^d Ma'ties Justices of the s^d Court in the Absence of him the said Lewis Morris. And further that the said Lewis Morris then and there Did Command and Direct Charles Weston Clerk of the said Court to Qualifie the aforesaid Grand Jury of the People Called Quakers by an affirmation contrary to the afores^d Act of parliam^t in that behalf made & provided against the Duty of his Allegiance to the Evil Example of others as also against the peace of our said Sovereign Lord the King his Crown and Dignity &c. A true Copy By me

Billa vera.

JAMES THOMSON Cl.

*Letter from Charles Dunster and Joseph Ormston
Proprietors, giving authority to James Alexander¹
to collect their Quit-Rents, &c.*

[From Copy in "Rutherford Collection," Vol. IV, p. 23.]

London . . . April 1716²

Mr James Alexander

S^r

We the Under subscribing proprietors of the province of New Jersey having received a very good Character of you, both with regard to your probity & honesty, as also of your vigilance and application have appointed you to be the receiver General & Collector of the Quit rents, and the Arrears that are due thereupon, and accordingly we do Inclosed Send our Commission with full power & Authority to act in that Station, as also an Order from his majesty Our Most Gracious King to the Governour to admit & Countenance you in the Execution of y^r office. The Quit rent roll, we do presume will be delivered to you by Mr John Barclay, whereby you will see the names of every Landholder, & the respective sums each is to pay for quit rent of the number of Acres posest, who must produce receipts to acquit them of Arrearages we presume that the whole will amount to about 350^ls Sterling p^r annum, which is equal, if not Superior to 500^ls p^r annum, of the Countrey money—

We believe that the Strange distractions & divisions that prevailed under basses administration, & the four last years of the proprietors have brought many of

¹ Mr. Alexander had sailed for America in May, 1715.—Ed.

² From other documents, it is probable the original was not dated until late in May.—Ed.

the people into a belief that nothing is our due, because they have been disused to pay, but we desire you to spare none of them but Consult with the best in the Countrey upon proper methods to Compell them, and if there should happen that such a Corrupt Jury should be found, as Contrary to all Justice (which is as plain by the patents on our side as the Sun) to bring in a verdict against us, we desire you to Lodge an Appeall, and to send over all the necessary papers & Instructions for determining of it here. We hope you will not tread in the Corrupt paths and steps of y^r predecessors, in this post, but in a faithfull honest discharge of the trust Committed to you, pursue those methods that will most tend to our Interest, to be diligent in recovering what money you Can of such as are both willing and able to pay, and please to remitt the same either in gold, or good bills of Exchange unto M^r Edward Richier of Aldermanbury, till our further Order.

*Letter from Governor Hunter to Secretary Popple—
enclosing two Quakers' speeches. relating to Mr.
Coxe.*

[From P. R. O. B. T. New Jersey, Vol. II, D 26.]

Letter from Brigad^r Hunter Gov^r of New Jersey
&c to y^e Sec^y with two of the Quakers
Speeches at an Election in the Jerseys re-
lating chiefly to M^r Cox.

To William Pople Esq^r Sec^y to y^e R H y^e L^{ds} of Trade.
Dr Sr.

The two Papers or Preachments of the Quakers at the Late Election I think will pretty well Inform you of the true state of y^e Case in the Jerseys, I send you

the Very Originals If they are not ryme they are reason I assure you Adieu make your own use of them, and shew them to Your Board or any of the Lo^{ships} as you think fit

I am Ever Yours

RO: HUNTER

May 1 1716

The Case Stated Betwixt our present Governour
and Daniell Coxe Pr T: S [Tho's Sharpe?] A
Well Wisher to All those whose Inclina-
tions is to moderation

The Case Stated Betwixt our Present Governour and Daniell Coxe Whereby People who are unprejudiced And not biassed may plainly Make A True Judgement which of the Twaine Intendeth the most Good to our Common Wealth.

When he first Arived here with Commission from the Queen to be Governour of the Jerseys as well as y^t of york he brought the Queens Instructions with him According to which (faire Demonstration giveth uss Assurance) he fully Intended to Act And thereupon Calls an Assembly In order thereto who Prepar'd many bills to be pastt into Lawes butt Finding Coxe Sunman with Som others who were of y^e Councell att that time utterly to opose those preparations by Reason of which Little or no business for the Good of this Province Could be Gon on with they beeing before hand Preposestt with Resolutions not to do Anything for making the People Called Quakers Capable in Common with others to be Servicable to their Neighbors & COUNTRYMEN in the Government Beeing tinctured by the Precedentt Greatt Governour the Lord Cornbury who owed them no Good Will Whereupon our Governour whose Inclinations Wass to doe the People

all the Good he Could Gott these Obstacles Remooved out of the way by the Faire & Just Representation of the Representative body of this province Correspondant to the Queens Desyres In the time of the Lord Lovelace and others putt in their places that hath been Instrumentall in Passing many Good And Wholsom Lawes Which Could by no means be Attained before. Whereupon the S^d Coxe Sett himself on work with all the vigor & Secrett underminings that he Could by Any meanes Contrive or Invent In order to Attaine his Malicious Ends which Fairly is Layde downe ass followeth.

Whereas Divers Artickles and Representations hath been Exhibited home Against our present Governour Coll^l Hunter by Daniell Coxe Formerly one of his Councell Which haveing Prooved Ineffectual: And It being the nature of Reveng Never to be Idle untill y^t bent against be overcome—

He hath in the First place Indeavoured to Poses the mindes of the Inhabitants of this Province For himself And Consequently against our present Governour: by makeing as many tools as he Could in the ffirst place And next to be Chosen himself as one of the Representatives of the Province to Sitt in Gen^l Assembly where he might be Capable to Sway the rest to his own Revengfull Ends. In order to which he spared neither Time Labour nor mony: And beeing Well Aprised that it was to no purpose to Endeavour to Carry on or Attempt Any Such Design In the County of Burlington wherein he Dwelt (beeing so well known there y^t it putt him out of a Capacity to Deceive) He therefore Streneously Driveth it forward in the County of Gloucester (And thereby Ocasioned Great Animosities In the minds of the People y^t before was Generally in Love And friendship one with Another) Where haveing Gained over A few persons With much Industry to his Syde they Like Servants

to his Mallice And haveing Som Influence over Som: number of Sweedes & others y^t Liveth on the Lower Syde of this County Who hardly Ever Concerned themselves in Such undertakeings before Beeing Persons who for Want of Good Education And Conversation Are nott so Ripe in their Judgments As to Rightly understand how to Avoyde the Intreagues of men y^t Intendeth nott well to the Common Wealth Beeing Easily taken with fayer Speeches & Gennerous words by which meanes he became Chosen.

Togather with the hopes of theyer beeing Eased of taxes which they never have been burthened with by Any Large Revenue Raised for our Present Governour Butt being Inconsiderate Concerning the Expedition tax And ffalling much into Areares upon that Account And Likewise y^t allways Interfearing yeare by yeare with the taxes of Late for y^e Supportt of Government hath made things heavy for Poor People but they nott Conclidering things A Rightt Are Willing to take hould of Any Handle to Ease themselves In their owne Conceit.

Although at the Same time may Proove very much to their & our Preiudice And is In no wise owing to our Governour.

Another Stratagem of this Designing Person the People Seemeth to be Taken With by his Insinuations of a Separate Governour which Thinking Persons cannot Suppose or Imagine Will Proove Much to our Advantage bet y^t which seemeth Worthy to Conduce to our Benefit Is to be Annextt to Pensilvania when it Shall So happen y^t that Government Shall Fall under the Crown.

And In the meane time to be Content In the Station we now are. For Ass much ass that our Governour Is Inclined to Moderation And to Assistt in whatt he Can For the Common Wealth of this Province.

Lett us Lay aside the thoughts of Makeing Choyce

of Such man or men Ass by what hath been observed will utterly Disappoint uss (For our Representative And nott be so befooled to be made use of as tools to Destroy our Selves to Answare the Implacable Hatred of hottheaded men Which Notwithstanding all that may be Sayde by him or them I may Say to deceive Itt is Impossible to Allure the Well Inclined And In-spectious over to Answare his Designing And Splenatick [purpose?]

An Expostulation With my Friends Neigh-
bors And others Concerned In this Weighty
affair of Choosing Persons to Represent
uss For Y^e Common Good of this Province
by A Well Wisher thereoff Tho: Sharpe
And was Read in Publicque att the opening
of our Election the 10th of this Instant 12th
m^o Called February: 1715.

Haveing read of this Writt which Sheweth the Oc-
casion of this dayes Convention I desyer And Earnest-
ly Intreat A little further Attention to whatt I have to
Say by way of Expostulation with my Neighbours
and Country men upon this weighty & Important
affaire we Are now Goeing upon

Me thinks it is A greatt pittie y^e we Should: with So
Greatt heat be Divided in our Judgments Concerning
a matter of So greatt Weight & Consequence on which
Dependeth our Well being or otherwise our Greate Dis-
advantage In the making of An Ill Choice Which I
much feare Som Are Running upon through Prejudice
& others Implicitly by Insinuation and Fals Repre-
sentation.

I think itt is our Interest And would highly Conduce

to our Advantage to avoyde the Choosing of Such Person or Persons who would Sacrifise the Common Wealth of their Country Either for Revenge or Profit which I conceive Som of uss were Running into at our Lastt Election though his or their Pretences were Guilded over with A verry Specious Pretextt Crimminating our former Assembly And Promising the People Greatt Ease & Amendment of matters for the time to Com, butt there was nothing in itt I am bold to Say butt Revenge or Profit as I have observed before To Strengthen which Assertion Lett the Preperations of the Person by us Choozen Att the Last meeting of members be butt Concidered And then I Presume y^t none butt the Prejudiced Party butt must Confess itt is to true.

Concider I pray you y^t We have a Governour y^t Intends nothing but the Common Good of the People And to Serve uss in all things y^t will Agree with his Instructions therefore It is A pitty Since itt hath Pleased God to favour uss with so Greatt An Advantage y^t we Should Proove So ungratefull; for iff we had one y^t was never So opposite to the Common Good he would finde A way to Obleige uss to Supportt y^e Government how much more Should we be willing Considering y^e Premises.

One thing more I Presume Is worth our notice that he is A man not upon the Extream In Regard to Religion that is in Shewing An Aversion to Any Particular Society butt Carrying An Equall Countenance And Distributing a share of Government Indifferently unto all Especially where the marks of Christianity is appearing Butt if otherwise he Shews A neglectt of fouour I think he is not to be blamed Especially to Such As hath been his minnisters to boath Invite And take In with his Adversary.

Itt is Also worth your Sereous thought that Cheifly for Favouring your Peaceable neighbours The Quakers

who were the First that boath the Government and Soile of this Country Did belong to And In all Reason and Justice ought to be favoured with as much Respect And Privildg as may be So Long as they Remayne Loyall Subjects to y^e Crown of Great Brittan In this one poynt y^t Since we make A Religeous Scruple of takeing an oath that our affirmation with Som Limmitation Shall pass Instead; which act was only to Correspond with our Late Queens Instructions: And y^t he Should make himself obnoxious to y^e Spite and Revenge of a Person y^t opposed it And because y^t he wass Discarded for opposing And acting Somthings y^t were against the common Good hath made it his business to go up & down ths Co'ntry he & his Agents to Insinuate with the People Absolam Like Though in Greatt Secresy to the oversetting our present Governour which I desyer all butt more Especially our people to beware of Leastt He Should Proove If Ever it were brought to bare to be our Governour Which I much Question Like Rehoboam In Action as he was In threates.

And now I think It may Reasonably be Concluded And Experience Will give uss Thoroughly to understand that we Shall never be better Served butt by Choosing men dwelling Among our Selves men of Good morralls Feareing God Who In the firstt place best understandeth how to Represent our Greivances & In the next place to be Instrumentall to putt forward & propose those things that may be for our Good And therefore Laying asyde all Privat Controversyes In opposition to Each other Lett uss As one man Consult togather who of uss may best Represent uss and In So Doing we Shall doe our Selves Good And Disapoynt the Intreagues of Designing men.

And now Least I Should Seem over tedeous Fearing what I say will not be well Relisht so when A man or men is Biggotted to an opinion though It may prove

Ever So much to his or their prejudice it is pretty Difficult to be Remooved And So Shall conclude with part of a Parragraff out of a treatisy Called English Liberties Be not over fond to receive bribes & Gratifications from Persons y^t would faine make a prey of you & by their purses Lavish treates & Entertainments would allure you to prostitute your voyces for their Elections you may be Assured they would never bid So high for your Sufferages but y^t they know where to make their markets Choose y^e worthy unwilling Person before y^e complementall unworthy man whose Extreordinary forwardness Prognosticates he Seeketh nott your Good but his own Sepperate from the Publick Lett uss nott Have Fools or Knaves to neglect or betray the Common Intrest of our Country by a base Election Lett neither Feare Flattery nor gaine Biass uss Conccider with your Selves what Loosers you will be if to Laugh & be merry one day the Person you Choose Should Give you & your Children Occasion to mourn Ever after.

Governor Hunter's Speech to the Assembly of New Jersey.

[From P. R. O. B. T., New Jersey, Vol. II, D. 34.]

Brigad^r Hunter's Speech to the Assembly of
New Jersey, referr'd to in his L^r of June
6: 1716 Rec^d 30th July 1716.

GENTLEMEN

Whereas it is apparent and Evident that there is at present a Combination amongst Some of yo^r members to Disappoint and Defeat Your Meeting as a house of

Representatives by their wilful absenting themselves from the Service of their Country In the General assembly of which they were Elected Members and more particularly from the Service of his most Sacred Majesty King George by Virtue of whose writts they were Summon'd and Elected to be an assestant to his Majestys Governour here in Such Matters as Should be required of them for that purpose and the Interest of the Country, I have Judged it absolutely necessary for that Service and to prevent Confusion and the very absolution of the Government in this province to require you (there being as I am well Inform'd, one half yo^r Number mett besides william Lawrence who is or was this Day present here but has Since the time he appeared withdrawn or absconded himself) forthwith to meet as a house of Representatives, and to take the usual Methods to oblige your fellow Members to pay their attendance.

Given under my hand and Seale this 19th Day of May 1716. In the Second Yeare of his Majestys Reign.

Ro: HUNTER.

Address from the Assembly of New Jersey to Governor Hunter,—relating to the expelling of their Speaker.

[From P. R. O. B. T. New Jersey, Vol. II, D. 35.]

TO HIS EXCELLENCY Robert Hunter Esq^r Cap^t Generale & Governour in Cheife of the Provinces of New Jersey New York and Territories Depending thereon in America and Vice Admiral of the same &c.

The Humble Address of the house of Repre-

sentatives for the Province of New Jersey
in Generall Assembly Conven'd

MAY IT PLEASE YOUR EXCELLENCY.

Your Administration has beene a Continued Series of Justice, and Moderation, and from Your past Conduct, Wee dare Assure our Selves of a Continuance of it, And wee will not be wanting in our Endeavours to make Suitable Returnes both in Providing a handsome Support for the Government, and of such a Continuance as may Demonstrate to you and the world the sense wee have of our Duty and your worth.

The Gentleman, our late Speaker¹, has Added this One Instance of Folly to his past Demeanour, to Convince us, and the World, that in all Stations, Whether of a Councillor, a private Man or a Representative, his Study has beene to Disturb the quiett and Tranquility of this Province, And Act in Contempt of Laws and Government. Wee are sensible of the Effects it has had and may have on the publick peace: And our Expulsion of him, wee hope Evinces wee are not the Partizans of his heat and Disaffection to the present Government. Wee are very Sorry he has beene Capable to Influence soe many into a Combination with him, to make Effectual his Ill purposes, but wee hope it is rather the Effect of Weakness than Mallice, And that their Eyes are now soe much opened that they'll Returne to their Duty and Joyne with us in providing for the Publick Creditt, and what ever else may make this Province happy, and your Excellency Easie.

Signed by Order of the house

WILL BRADFORD Cl

New Jersey Perth Amboy 23th May 1716.

¹ Daniel Coxe.— Ed.

*Address from the Council and Assembly of New Jersey
to the King—upon the Defeat of the Scotch Rebel-
lion.*

[From P. R. O. B. T. New Jersey, Vol II. D. 35.]

TO THE KINGS MOST EXCELL^T MAJESTY.

The Humble Address of the Councill and gen-
erall Assembly of yo^r Majestys Colony of
New Jersey in America.

Most Gracious Sovereign

Had We Sooner mett together We had Sooner Ex-
prest our Gratefull Sense of that Deliverance We (by
your Majestys accession to the Throne) have had in
Common with the rest of your Majestys Subjects from
those Dangers which threatened the Distruction of
our Civil and Religious Liberties.

Time, as it has added to our Security by the Success
of your Councils and Arms, So it has administred New
Causes of Gratulation, in which we heartily Joyn with
every true Lover of your Majesty and the British Con-
stitution, and gives thanks to Almighty God for De-
feating the Designes and Traiterous Attempts of those
unnaturall Rebellious Wretches that have Drawn
Downe the Divine Vengeance on themselves for Hy-
pocrisie and Prevarication, who while und^r the strict-
est obligation of Repeated Oaths, throw off a regard to
what in the Generall Sense of Mankind has always
been esteemed Sacred and prostituted their Consciences
to Conspire against your Majesty and the peace and
happyness of their Country.

Their foolish Hopes have been Blasted, and we are
Safe in the enjoyment of those Blessings which Can

only be Secur'd to us and our posterity by a protestant Succession in the Illustrious house of Hannover.

As that shall always have our prayers for its prosperity and utmost assistance for its Defence. so we will not be wanting to Support and maintaine your Government here in as ample a Manner as the Circumstances of our Country will admitt of haveing besides our Duty and Allegiance to your Majesty, so great Reason from the Just, Temperate and prudent Conduct of your Governour of this Colony

That God for the benefit of yo^r Majestys subjects would Lengthen your Days and Increase your Glories, are and Shall be the Sincere and fervent prayers of

Most Gracious Sovereign

Your Majestys Most Loyal and Dutifull Subjects.

Several members of the Generall assembly being of the people Called Quakers. Doe heartily Concurr in the above written address as to the matter and Substance, but make Some Exceptions as to the Stile

Perth Amboy May 25th 1716

John Hamilton	Lewis Morris	} Members of his Majestys Councill
T. Byerly	Thomas Gordon	
David Lyell	John Anderson	

Joseph Bonnel	John Kinsey Speaker
Tho ^s Hall	Tho. Harner [Farmer?]
Danl Smith	Char: Morgan
Benja Clarke	Isaac Sharp
Matthew Champion	W ^m Lawrence
Sam ^l Smith	Jacob Doughty
John Harrison	Josiah Ogden

*Letter from Governor Hunter to the Agent for New York in London.*¹

[From P. R. O. B. T., New Jersey. Vol. II, D. 32.]

N. York, y^e 29th May 1716

S^r

This is to Catch a Ship under Saile So I can only Acquaint you that since writeing what goes by that Ship (the Larke) I have Yours with the papers In-closed, A Ship Goes by Next week by which I shall write fully

Only, till I can do So, I beg you'll Inform the Lords of Trade, that Cox and his party as I foretold in my Last, have made a Shift to gett themselves Expell'd the Assembly and in the Addresses Of the House to y^e King, (and one paper to me) To be distinguisht as Enemys to his Ma'tys Government and the Peace of the Countrey. But Our difficulty remains. For If he were guilty of Actual Treason, he'll be acquitted by Talbot's Church who alone in that County can be of y^e petty Jury. And they have lately brought in One Not Guilty who Confess'd y^e Crime In open Court. And Another So Contrary to positive and Unquestionable Evidence, I shall get rid of Talbot with My L^d of Londons good Leave, and then that Province will be quiet.

The Comissary here is the humblest Clergy man And warmest Whig all of a Suddain, I'll keep him So if I can. I am to-day to meet the Assembly here, and to morrow to return to that In y^e Jerseys which must (after passing a necessary Act or two) be adjourn'd during harvest and to give the Countrey time to choose others in the room of such as are Expell'd

I hope you will not take it ill that I Imploy you in Jersey buss'nesse, for I am not without hopes of

¹ Ambrose Phillips, - Ed

having you at Least as well rewarded fo the trouble you shall take in that as in y^e other

There is a Poor Weake Gentleman Gooking L^t Gov^r of Pensilvania a going home Coxes Embassador Extraordinary, he has a paper Signed by Cox and y^e other Malcontents, watch him I have not time to add one word more and I'm afraid you'll hardly be able to read this Adieu

Yours heartily

Ro: HUNTER

*Letter from Governor Hunter to the Lords of Trade,
—about New Jersey Affairs.*

[From P. R. O. B. T., New Jersey, Vol. II, D. 33.]

L^r from Brigad^r Hunter Gov^r of New Jersey
and New York.

New York June 6th 1716.

My Lords.

In my last I gave your Lord^{ps} an Account of y^e Distractions in the Jerseys and at the same time some faint hopes of a better Settlement. I was noe bad Prophett. For y^e Conduct of M^r Speaker Cox has opened the Eyes of y^e whole Country. hee has now as I am well Inform'd fled the Province since his Expulsion with many of his Crew at his back, and holds frequent Councils at Bristol in Pensilvania. Where the Sculking Disaffected few with the Reverend M^r Talbott at their head Meet him, were their power Equal to their passion, their Meetings might prove dangerous, but the First is Dwindled, noe matter for the last

The Imperfect Minutes of the Proceedings of that Assembly here Inclosed Marked (A) will Inform your

Lord'pps of all y^e Steps in that matter, I have not time to send them by this Conveyance in form.

Be pleas'd however to take this Succinct account of that matter. During a Short prorogation by me on Account of y^e Sitting of the Supream Court, A very worthy Member M^r Sharpe¹ was Return'd for One of those places for which M^r Cox had beene Chosen, hee haveing made his Election for y^e other, Which did Cast the Ballance on the right Side, Soe Despaireing to Carry any point in the Assembly hee Absents himselfe and perswades those over whom he had any Influence to doe the same, hopeing by these meanes to Dissolve the Assembly or at least to Stave off all Buisness for that time; The Members to the Number of Twelve being Mett, but unwilling to Act as a house without a Majority after several Adjournments Addressed me to take such Measures as I thought meet to Oblige the absent Members to Attend, upon which I sent Orders to severall who were at hand, under my hand and Seale by the Serjeant at Armes, which some of them thought fitt to Obey, When they found themselves a Number, which they Conceiv'd Sufficient to Act as a house, I think they were then Fifteene. They proceed to a New Choice of a Speaker, Sent their Serjeant at Arms for their absent Members and at his Returne being by him Inform'd that none of them were to be found but that he was well Assured that most of them had fled into Pensilvania, They proceeded to the Ex-

¹ THOMAS SHARP was the nephew of Anthony Sharp, a wealthy merchant of Dublin, and settled at Newton, Gloucester County, in 1681. He appears to have had better opportunities for education than most of those with whom he was associated, which undoubtedly led to rapid advancement among them, and to his entering upon the duties of several important positions in the Province, among them being that of a member of the Assembly in 1685; and as one of the Judges of Gloucester County in 1700. His name, it is said, "will be oftener found among the records at Burlington, Trenton or Woodbury, than that of any other man of those early times." The Gloucester County record of deeds at Trenton contains an account, by him, of the first settlement at Newton. He died in 1729.—See Clement's Sketches of the First Settlers of Newton Township, p. 23.—Ed.

pulsion of all those their Members. Ordered Writts for the Election of others in their Rooms Addressed me as in the Paper Mark'd (B) And in Conjunction with the Councill Drew upp and Signed a Loyal and Dutifull Address to his Majesty a Copy of which is herewith Mark'd (C) The Originalls I have Committed to the Care of M^r Champance Agent for New York, Of all which Proceedings Your Lordpps will be better Inform'd by y^e Inclosed Minutes of Councill and Assembly, If I have gott Rid of Talbot, as I hope I have I doubt not that the rest will Returne upon their knees to their Duty, and that Province be as Easey and happy in a little time as this,

The affaires of New York will not Require the Giving Your Lord'pps the trouble of a Separate Letter at this time, The Assembly mett Yesterday, and I spoke to them as in the Paper (D) and I assure Your Lord'pps I did them in that noe more than bare Justice, For Real Joy Appeares almost in every State for his Majesties Success over his and the Nations Enemies, I can promise my selfe nothing but what is Dutiful and faire In this Sessions, When it is older Your Lord'pps shall heare more.

Since the Writeing of what is above the Assembly here in Conjunction with the Councill have Signed an humble Address to his Majesty, which I have transmitted to the Agent M^r Champance and here Inclosed a Copy thereof, Most humbly Recommending my Selfe to Your Lordships Patronage I am with all Imaginable honour My Lords

Your Lordships most Obed^t and most Humble Servant

RO: HUNTER.

*Letter from Governor Hunter to Secretary Popple—
about Mr. Coxe and others.*

[From P. R. O. B. T. New Jersey Vol. II, D 40.]

L^r from Brigad^r Hunter to y^c Sec^{ry} relating to
M^r Cox & others of y^c Assembly of New-
Jersey.

N York y^c 8 June 1716

D^r S^r

Mine to the Board will Inform you that Cox and his pitifull Crew are defeated and Fled, he holds Councils In Pennivania, at the Last it was Resolv'd that He and Talbot should Go over, and apply to the house of Commons Since they can not prevaile with the King the Minis or the Lords ha ha ha. I doubt he will not Go after all but get in his Subscription money and remaine at Philadelphia where I hear he has taken a house. Do not forget me nor my Palatine Clames,¹ I now believe That I shall live to thank you.

I am ever and Intirely Yours

Ro: HUNTER.

The Indictment of y^c Att^y Gen^l was forgot by negligence in y^c Last, here you have it

W Pople Esq

An Indictment of M^r Gordon Attorney Gen^l of
New Jersey rece'd [30th July] wth Brigad^r
Hunter's Lr. of 8th June 1716 to y^c Secretary

BURLINGTON

The Jurors for our Sovereign Lord the King upon
their Oaths do Present That Thomas Gordon Esq^r of

¹ Referring to the settlement of Palatines in New York—See N. Y. Col. Docs.—Ed.

Mount Gordon in the County of Monmouth in the Province of New Jersey one of his Majesties Council and Kings Attorney General for the province of New Jersey at his Ma^{ties} Supream Court of Indicature held at Burlington in the County of Burlington afores^d on Tuesday being the first day of November in the Second Year of the Reign of our most Gracious Sovereign Lord George by the Grace of God King of Great Britain France and Ireland Defend^r of y^e Faith &c There being an Act of parliament made in the first Year of the Reign of our s^d Sovereign Lord the King Entituled an Act for making perpetual an Act of the Seventh and Eighth Years of the Reign of his late Majestie King William the Third Intituled an Act that y^r Solemn Affirmation & Declaration of the People Called Quakers shall be Accepted instead of an Oath in the Usual form And for Explaining and Enforcing y^e s^d Act in relation to the paym^t of Tithes and Church rates and for appointing the Form of an Affirmation to be taken by the s^d people called Quakers instead of the Oath of Abjuration &c A printed Coppy of the aforesaid Act of Parliament being then and there in the afores^d Court produced from the Kingdom of Great Britain and by Order and Authority of the aforesaid Court and by Jeremy Bass Esq^r Clerk of the afores^d Court then and there was openly read and published, The said Thomas Gordon then and there personally being his duty and allegience towards our s^d Lord the King little regarding nor y^e Contemptuous Violation of the afores^d Law and Statute of the Kingdom of Great Britain any manner of way fearing Advisedly maliciously and of his own proper Malicious Intention and Imagination to draw the aforesaid Act of parliament into Question and Contempt The false and Seditious English words, falsly Maliciously and publickly Did Speak and promulgate in the presence and hearing of Divers of his Majesties Liege Subjects (that is to

say) that the printed Coppy of the aforesaid Act of parliament which he the s^d Thomas Gordon then Instantly held in his hand and in a Scornfull and Contemptuous manner cast down upon the Table was a Ballard and it being then and there replied to him the s^d Thomas Gordon by Jeremiah Bass Esq^r Clerk of the afores^d Court that he was Sorry that the Attorney General of the Jerseys should be heard to call an Act of King, Lords and Commons a Ballard, He the said Thomas Gordon did likewise then and there in like manner Say it was no better than a Ballard Against the Duty of his Allegiance in Grievous Contempt and Defamation of the aforesaid Act of parliament, to the Evil Example of others as also against the peace of our s^d Sovereign Lord the King his Crown and Dignity &c.

Billa vera

A true Copy by me JAMES THOMPSON Cl

*Letter from Governor Hunter to the Lords of Trade—
About Proceedings of Mr. Core.*

[From P. R. O. B. T. New Jersey, Vol. II, D 40.]

Letter from Brigadier Hunter Gov^r of New
Jersey.

New York Oct^r the 2nd 1716

My Lords

This relates to the affairs of New Jersey which fall at present within a small compass

After M^r Cox with his Associates were expell'd the house of Representatives I had informations from many places that he, and his Emissaries were very busy in carrying papers privately round the Province for subscriptions upon which there was an order of the Governour and Council in Council directed to

several Sheriffs for apprehending him, and his accomplices, and bringing them before the Governour and Council by a day prefixed, but he and they fled the Province and is now with one Rustill [Bustall] a very mean wretch, but cheif instrument of M^r Cox's, embark'd for England from Philadelphia, I know not his errand nor the purport of the papers he carrys, neither can I guess at any ground of complaint he can have against me, unless it be that I suffer'd him to run too far in his way to his own ruin; but shall most humbly submit it to your L^dship's judgement, whither such persons as M^r Cox, and M^r Sonmans who have fled from justice (the former standing accus'd by the Council, and two several general Assemblys for disturbing the publick peace, and a combination against the Government; the latter for haveing feloniously stolen away, and convey'd out of the Province the publick Records) should not in the first place be order'd, or sent back to answer these crimes of which they stand accused according to law before any Representations or Complaints be received from their hands; at the same time I am ready to answer to the strictest enquiry for all or any part of my administration: If calling the last Session of Assembly, to Amboy was an error, it was his Majesty's instructions with my new Patent that led me into it by the advice of the Council, and all who pretend to the law, which I own I was the readier to close with, because at that time, as I hope I have by what I formerly sent convinc'd your L^dships, it was something more than hazardous to hold an Assembly at that place, I have now issued a Proclamation for the Assembly's meeting at Burlington, for since the removal of that Boutefeu the country is quiet, and I believe I shall have a quiet and good session there.

The only Act passed in the last Session, entituled an act to enforce the payment of publick taxes, I here-

with send you; Mr Cox and all his associates having ever refused or declin'd to pay their taxes I beleive there can be but few instances where any who are honoured by the name of his party have paid one farthing without being distrain'd, that Assembly is to meet in the beginning of November. I shall God willing attend them if I have then but tolerable health

I have given orders to the Treasurer of the Jerseys to transmit forthwith the accounts of the Revenue there, if they doe not arrive here before this ship sails they shall goe by the next.

Most humbly recommending my self to the continuation of your Lordships Patronage I am with all imaginable honour My Lords

Your Lordships most humble and most obedient servant

RO: HUNTER.

Letter from Samuel Bustall against Governor Hunter.

[From P. R. O. B. T. New Jersey, Vol. II, D (2).]

Lettter from Samuel Bustall to his wife¹

London November y^e 1th 1716

Dear Dear Gracey

[Extract.]

As to our Busness I cannot informe you much but we are asured of Success my Lord high Chancellor is Intirely on our side And So my Lord Townsend Secretary att State These things which we have Against Coll^l Hunter are most Amaseing and he is my Lord Chanseller Declared if these things are proued against him unfitt to serve his Majesty in any post whatsoever Co^{ll} Coxes has a Uast Intrust with Lord Chancellor And what Co^{ll} Hunter has Said to the Contrary is most

¹ Transmitted to the Lords of Trade by A. Philips, agent for New York, July 11th, 1717. — Ed.

Candellesly faults my Lord Secretary wth 5. more of my Lords Chiefe Officers being last night in Company with Doctor Cox Co^{ll} Cox and his Brother Dam^l Hunter for Saying in his Speech that they war Treated wth Contempt when it was So much the Reverse of that that my Lord paid him that respect and Distintion as Surprized them all that Saw it and promesed him hus Utmost Service in the affare he came about is thought my Lord will much resent what Co^{ll} Hunter has Said upon that head Co^{ll} Cox will be next weak Introduced to my Lord Chancelor my Lord Townend and my Lord Nallsell who are the three prime Minestars of State and doth Every thing wth the prince Co^{ll} Cox has Grate friends And the Accommendations he has brought with him from pensaluaney and the New Jarsey Signed by So many hands is wonderfully Seruesssable and Secures his Intrust with this Minestry who I beleive are as Just as any that ever was in England The King is Gon for Holland and wont return till after Christmass but y^r prince can do our Busness My Lord Summers is dead And the Duke of Argile is out of every thing And by the King was Banished y^e Cort So that Co^{ll} Hunter has not one friend att Cort And tis thought he will be ruined about the Pollentines Bills as Soon as he is out of his Gouverment thare two Gentlemen Laying in for the Gouverment Uiz Our Gen^l Ward And one Bowls it is not known who will have it but our Busness is to get a Seperate Gouverment So that we Shall not trouble our Selues about New York neither do we Care who getts it my Dear I have So far Given you a Genarall Account of affars as far as has been proseaded in I have time only add that I have Injoyed my helth through Mercey perfectly well we have A fair prospect of accomplishing our Busness to be back by Junenext but we have to doe wth Grate men And all Grat Bodys moufes Slow But Good friends & Good Intrust And Money will Surmount Grate Difficultye In relation

to M^r Sandmon he has Secured his Lands but he has Unhappely fell in wth the Wrong Intrust to be of Service to us he depends much upon my Lord Clarendine who is nobody at Cort nor he neauer will be Capable of doing our Busness had he Staid here this Thousand Years As the present Intrust Stands I must Conclude for I have Trespassed on the time Allowed me I cannot wright to any bodey else You may Communicate Sum part of this Letter to whome you please of our friends And to whome in Generall I hartely Give my humble Service My Dear I am most Unolturable Your trewly Affectinate Husband

SAM^l BUSTALL

In my next I hope I shall be Able to Give A full and Ample Account of our Busness I long to be with You farewell

June 16, 1717

I gave this Letter to M^r Roberts to Shew it to my Ld Chancellour. When he returned it to me, he Said his Lordship has read it, Saying that All that related to him was pure Fiction, & without his Knowledge

A PHILIPS

*Letter from Governor Hunter to the Lords of Trade
—about leaving for Burlington to dissolve the
Assembly in consequence of the small pox pre-
vailing there.*

[From N. Y. Col. Docs., Vol. V, p. 481.]

To the Right Hon^{ble} the Lords Com^{rs} for Trade
and Plantations

My Lords

[Extract.]

* * * * I am Just upon my journey to the Jersey Assembly at Burlington. The Small Pox are raging in that place, and I am already addressed by

many of the Council and Assembly to adjourn them for that reason to Amboy, I know not what to do, for I shall not have a Quorum of either at that place for the reason mentioned, and can not it seems adjourn them to the other because of that Act if the plague were there, and the country will be in confusion about their bill of credit the currency of which expires in a fortnights time unless remedied by an Act, the taxes which were to sink these bills not being as yet all payed by means of the evill influence & example of M^r Cox and his party. I shall do my best in that as in every thing to convince your Lordships that I have no views but the publick good, that I may be the better entituled to the honour of being My Lords

Your Lordships most humbe and most faithful Servant
New York Nov^r 12 1716

ROB: HUNTER

*Letter from Governor Hunter to Secretary Popple--
enclosing a letter from Daniel Coxe.¹*

[From P. R. O B. T., New Jersey, Vol. II, D 14.]

S^r

Jeffers by whom I send my Letters is under Saile. I have Just receiv'd from the Ch Justice at Burlington the Original of this Inclosed Copie which I beg you'll Shew to their Lods'ps, for Since M^r Cox is gone to London there is Nothing will be left Undone there to blacken my Administration seeing he fail'd of weakening it here I am as Ever

D^r S^r Intirely Yours

RO: HUNTER

N. York y^e 16 Nov^r 1716

¹The Lords of Trade sent copies of these two documents to Mr. Secretary Methuen that he might know "what indirect measures are taken to make His Majestie's Governors uneasy in the Plantations."—ED.

Letter from Daniel Cox to Mr Allison, enclosed
in the foregoing.

Philadelp 7 July 1716

D^r S^r

I received yesterday a Long Letter From Mr Sonmans and another from Mr Streat. They both declare that If we do not make a regular Complaint against Our Oppressor either this Summer or Fall and that with great Vigour we must be Content to Remain Saddled with him till the Province is ruin'd. they add that the remissnesse of the people in not Complaining regularly before King Etc: has given Credit C—H^{rs} Friends declarains that every thing alledg'd against him is false and proceeds only from a pique of some few discontented persons: They both declare 'twill cost much more money to Solicit the Affaire now then 'twould if the affaire had not been Starv'd before besides nothing will go down as Evidence but what is viva voce or On good affidavits of the Fact. Certificates will do no good therefore the Copie of the Indictments of Morris Etc: must be well prov'd. I have wrote fully to M^r Basse you must presse him to get all ready, he may do it privatly at home and come on this Side and be Safe, all you do must be kept very private, you must procure a Copie of My Recognizance before Jameson as likewise the Minutes of Council for my discharge You must likewise gett a Copie of the writt Thomson Serv'd on me by Order of Gordon and a Copie of the Recognizance enter'd into and Order of Court for my discharge I must likewise have out of the Secy's Office a Copie attested of the Information brought against me by Gordon these things will be of great Use to them how I have been harass'd from time

¹ Col. Hunters.

to time and for what. There should be An Affidavit of Gordons proceeding against M^r Fox and ordering Proceſſe against him tho' never presented by the Grand Jury.

Whatever else is necessary let it be ready against tuesday or wednesday next at Farthest when I intend god Willing to be at Bristol to finish all matters and take my Leave of my Friends for the Ship will Saile the week after M^r Carle is in haste else I had writt by him to M^r Bustill. desire him to gett all things ready I hope the Petition Etc: are Sign'd as likewise the Certificates of Vestry Etc: we want to know what is become of Lockart, pray give us a line If you hear any thing. Give my Service to Emmanuel Smith and all y^e rest of our Friends as If named and You'll oblige

S^r Your real Friend and Servant

DAN COX

Ask M^r Bustill if he has sent one of y^e Certificates to Hunterdon if not somebody must go with it

To Capt Rich^d Allison at Burlington.

Speech of Governor Hunter to the Assembly—and their Address to him.

HIS EXCELLENCY'S SPEECH

To the General Assembly of the Province of New-Jersey, the 27 November 1716.¹

Gentlemen;

I Must refer you to what I said to you in the first Sessions of this Assembly and shall only mention what I think requires the first place or principal part in your present Deliberations, I mean, the Support of the

¹ The Assembly met at Crosswicks, in consequence of the prevalence of small-pox at Burlington.—ED.

Government and the publick Credit. You all know, that the Fonds for the first are Expired Fifteen Months ago, and that the other has suffered much by the Obstinacy of some in refusing the payment of Taxes, or Remisness of others in collecting or putting the Laws in Execution which were sufficient if duly Executed, to have answered the End, and in great Measure to have prevented or Remedied that evil. I doubt not but you are now met with good Disposition, as well as full Freedom, all Clogs and Bars being Remov'd to pursue, to Effect, the good ends of your Meeting, and to make good your Engagements and Promises in the Several Addresses of your last Sessions. The true Interest of the People and the Government are the same I mean, a Government of Laws, no other deserves the name, and are never Seperated or Seperable but in Imagination, by Men of Craft, who are either Abettors of Lawless Power, on the one hand. or Confusion and Anarchy on the other. As I am well assured, as you also well know, That the first is not the case of this Province, so I have conceived well grounded hopes, That all Endeavours towards the latter are well-nigh ceased. I can hardly guess at any one thing that can Interpose to Defeat Your Purposes of making yourselves and those you Represent. Happy, and me Easy, as you have yourselves very well exprest it.

RO. HUNTER.

The Addresse of the Gen^l Assembly of New
Jersey to the Gov^r at Amboy.

May it Please Your Excellency

Your Administration has been a Continued Series of Justice and Moderation and from your past Conduct we dare assure our Selves of the Continuation of it and we will not be wanting In our Endeavours to make

Suitable returns both in provideing a handsome Support of Government and of Such a Continuance as may demonstrate to you and the World the Sense we have of our duty and your worth.

The Gentleman our Late Speaker has added this one Instance of folly to his past demeanour to Convince us and the World that in all Stations whether as a Counciller a Private man or a Representative his study has been to disturb the Quiet and Tranquillity of this Province and Act in Contempt of Laws and Government. We are Sensible of the Effect it has had and may have on the Publick peace and our Expulsion of him we hope Evinces that we are not partisans of his heat and disaffection to the Present Government. We are Very Sory he has been Capable to Influence So many into a Combination with him to make Effectual his Evil purposes, but we hope it is rather the Effect of weaknesse then Malice and that their Eyes are now So much open'd they'll return to their duty and Joyn with us In provideing for the Publick Credit and whatever else may Make this Province happy and Your Ex^{ty} easy.

William Pinhorne's Project for Raising Money by Paper Bills for the Encouragement of Trade.

[From a Contemporaneous Copy in the Possession of W. A. Whitehead.]

A Project by William Pinhorne to Raise a Sum of Money by Paper Bills, for the encouragement of Trade in the Province of New Jersey in 1716.

S^rE; Hearing that Som Gent'n of the assembly had it under Consideration to Rayse a Sum of Money by paper Bills, for the Encouragement of Trade, and Inabling the Ynhabitants of the Province to Improv thir Estates,—as also an Ease of Taxes for the Necessary Support, of Government, and that they Disigned the

Obtaining these Ends By the Giving out theer Bills, to the Inhabitants and Traders vpon Land Security, at the Interest, of five pr. ct., I, Humbly Conceive said designe would en no ways answer the End, and with all Humble Submission apprehend the Sam to be Lyable to many Objections, the greatest of which appeares the Vncertainty, or Indeed the vnlikelyhood that any Considerable Sum or for any Considerable Time Could be Disposed of on those Terms, People being rather Inclinaire To Take vp vpon Common Securitys and so Repay againe at any Time theer Conueniency allowed what moneys they Had Occasion of, although they gave a ffar Greater Interest; wherefore for their Greater Encouragement to take off Such a vantage in Bills, and that the Country May Enjoy the Benefit of so Considerable a stock for a Longer Time—with all Obedient Submission Offer to their Consideration what thoughts hae Occurd to me thereon. In which if I am vnder a Mistake, Hope to obtain an Easy Pardon since the Desyre of Benefit to the Province was the Only Motive Lead me to Give you this Trouble.

My thoughts are these, that if Paper Bills were made, to the vantage of Twenty Thousand Pounds—and Given Out vpon Good Land Security for Twenty yeares Gratis, without any Interest at all, and Instead of Paying ffeve pr. ct. Interest, they should be Obliged to Repay annually the Twentieth part: of what they should so take vp, which for one Hundred Pound is five Pounds, in Twenty yeares they will have Repaid the Principall stock they Tooke vp. This seems to me an Incouragement that will Imadiately take off all the Bills, when Instead of Paying five pr. ct. Interest pr. annum and the Principall still Remaining a Heavy Burthen on ther Estates. By this Method, the Bare Paying of five pr. ct. pr. annum shall Discharge the very Principall,

In the Next place please to Consider the Security of

the fund to sinke these Bills at 20 yeare's End, for so long must be their Currantcy, to be passt and Received in all Payment whatsoever, except, Only the five pr. ct.: or annuall Payment of the Twentyeth part: of what is so let Out, which must Not be paid in Bills but in Currant Silver Money of the Easterne Division, or Proclamation Money. Elce there will be no fund for the sinkeing thes Bills. Then be pleased & further Consider the advantage to the Government—and the Ease of Taxes when by the ffollowing Table it appears, that Besydes the ffund to sinke the Bills, there well Remaine in the Hands of the Government, the sum of 14,559 pounds 4 shillings 0—which grow from the Interest of ye Money pd. annuallly in to the Hands of the Receivers—which being but 1000 pt. pr annum and in Silver Money, will Easily be let Out at the Common Interest for Every one that wants to take up money, will know where to be supplied. And that the fund May be more Certaine and Ready at the Expiration of the Bills, I have Computed the Interest, for Nineteen years Only, that so the Money my be Ready in the Receivers hands a yeare Before the Currency of the Bills Expire.

And whosoever shall fayle in paying in the 20th parts—annuallly as a fore seid of such Bills as he Received, shall imediately fall vnder the same prosecution and fforfeiture, as if it were an absolute faylure of the whole. Elce it will make a Defitiency in the ffund.

This I Hope will Render my Conception Plaine, and Practicable, and with all *Humbly* Humility Subscribe my selfe

Sr. Yr. Obedient Humble Servt.

Nov: 27 Ao. 1716

WM. PINHORNE.

A true Cop. per me

T. ARENTS.

A TABLE Demonstarting the Interest arising from the Annuall Payments of a Twentyeth part: of the Bills lett out: and from the Increasing Interest money,

all which is Still but a Simple and Single Interest for
moneys Lett Out, and Can no ways be Construed as
Interest vpon Interest.

The first yrs. Interest will be Nothing.

2d yre. the Interest of 1000£. at 8 pr. ct. is	-	80	00	0
3de yeare - - - - -	-	160		
4th - - - - -	-	240		
5 - - - - -	-	320		
6 - - - - -	-	400		
7 - - - - -	-	480		
8 - - - - -	-	560		
9 - - - - -	-	640		
10 - - - - -	-	720		
11 - - - - -	-	800		
12 - - - - -	-	880		
13 - - - - -	-	960		
14 - - - - -	-	1040		
15 - - - - -	-	1120		
16 - - - - -	-	1200		
17 - - - - -	-	1280		
18 - - - - -	-	1360		
19 - - - - -	-	1440		

The Growing Interest of ye Int. Mony
is as folw's

£13680
979 4

The 1st & Sec; is Noth:

The 3d yrs. Int'st of 80£ is	-	6	8	0	£14669	4	0
4th - - - - -	-	12	16				
5 - - - - -	-	19	4				
6 - - - - -	-	25	12				
7 - - - - -	-	32					
8 - - - - -	-	38	8				
9 - - - - -	-	44	16				
10 - - - - -	-	51	4				
11 - - - - -	-	57	12				
12 - - - - -	-	64					
13 - - - - -	-	70	8				
14 - - - - -	-	76	16				
15 - - - - -	-	83	4				
16 - - - - -	-	89	12				
17 - - - - -	-	96					
18 - - - - -	-	102	8				
19 - - - - -	-	108	16				
		£979	4				

If ye Interest were Computed to the End ye 20th yeare, the Time of ye Expiration of the Currency of the Bills- it will amount to the Sum of 16294 £. 8s.

Which will be a New fund vpon which Bills may be made and Given Out to the Use of the Government So that by giving Out 20000 pds. Bills Gratis to the Inhabitants for 20 yeares, in the former Method there appears a fund for 36294 pounds Eight Shillings. The Benefit to the Province and Improvement of Trade, is So Obvious that it is Needles to Say anything on that head. and it will also be a Great Means of Bringing Moneys into the Province.

*Letter from Governor Hunter to the Lords of Trade
—about New Jersey affairs.*

[From P. R. O. B. T. New Jersey, Vol. II, D. 45.]

To the Right Honob^{les} the Lords of Trade

N York y^e 13 feb 171⁶

My Lords

Being but just arriv'd from the Jerseys and finding the Ship New York Captⁿ Clarke Commander ready to sail for London I cannot send your Lordships so very particular accounts of the affairs of that Province as you may expect and I shall transmit by the next opportunity.

We have had a very happy Session of Assembly there, At the opening of that Session which was held at Chesterfield¹ near Burlington (where the small pox raged at that time) I spoke to them as in the paper, (A) and soon after that was address'd by that Assembly as in the paper, (B) they have made good their engagements

¹ Smith, in his History of New Jersey, p. 408, says the session was held at Crosswicks.

in that and their former address as your L^dships may be inform'd by the list of acts past in that Session mark'd, (C) the acts themselves I shall transmitt so soon as they can be engrossed, with the necessary observations upon them, amongst these your L^dships will observe one act for repealing a former act fixing the Session to Burlington which I earnestly beg may be immediately recommended to His Majesty for his approbation. I have said enough as to the reasons for that repeal, and shall only add now that it was the hand of Providence which prevented y^e Session at that time at Burlington, M^r Talbot has thought fit to give some faint light towards the discovery of a most hellish contrivance, which as he says he in some measure defeated, he says in one of his letters to the Gentleman to whom he intrusted the secret, that he'll doe what he can *salvâ Conscientiâ* in that discovery. I have given him leave to come to me for that purpose, or if he thinks fit to write and sign the Narrative, and transmitt it to me, I expect the one, or the other every day, if he grows squeamish the Gentleman to whom he has discovered it will take his Oath as to the truth of the information he has given. Talbot seems very penitent, I know not how sincere he may be, I guessd that there was something more than ordinary in the sudden flight of the party, and the great endeavours and sollicitations of almost all of them for pardon, and forgiveness, which I have granted to all who have submitted, and have ask'd it, and can now assure your L^dships that the Jerseys which about a year agoe was the most tumultuous, is at present one of the most quiet and best satisfyed of his Majestys Provinces.

That mark'd (D) is the Copy of a letter of M^r Cox's to his freind Allison who is since dead, I know nothing as yet of the papers, subscriptions, and Certificates he mentions there, but am promis'd a copy of them from a Gentleman of Philadelphia, who is ashamed and

greiv'd at his haveing joind with them; he says that even while he was link'd to them he was ashamed of the trifling articles of accusation, and except two, none of them could bear the appearance of a just complaint, the first of there [them?] is that I robbd one Wetherhill of an Indian deed, the paper markd (E) will inform your L^dships how just a complaint that is, if persuaideing a man to make amends for an act of Villany, by restoreing a deed which was not only basely obtaind of a single Indian, whom he had made drunk (contrary to law which requires every man to have a Lycence for such purchase before it is made) at y^e earnest desire of the Speaker and many of the Principal members of y^t Assembly to prevent confusion, and the danger of a rupture with these Indians, instead of punishing him for what he had done, if this I say be just ground of complaint from the person and party concernd, I must own that I understand nothing of my duty, or business, I am sure the whole country applauded what was done in that matter as a very necessary, and considerable peice of justice and service.

The other material Article as that Gentleman conceives is the cutting of wood upon a man's land without his leave, it was sometime before I could make any guesse at the meaning of that, but at last I think M^r Secretary Clark has hit upon it, which be pleased to take under his own hand in the paper markd (F) as for my part I never saw the man 'till within this twelvemonth, neither does he say that he ever apply'd to me if he was aggrev'd, but to cut crooked sticks in a country of wood, for a publick, and immediately necessary service, the whole value of which is in the cutting, is a sort of a crime that can serve for no other use but to make it apparent that the Plaintiffs have nothing to complain of.

If I had any prospect of being able to make use of this letter of Lycence which His Royal Highness has

been graciously pleas'd to grant me, I would not have given your Lordships this trouble at this time, but haveing fix'd my meeting with our five Indian nations to the middle of May next, and there being an absolute necessity of holding an Assembly in the Jerseys in the fall, to perfect what is so happily begun, I cannot leave this country without detriment to His Majesty's service this year at least, whatever my private affairs may suffer by my stay, for I shall never put them in competition with that, and if I be not much mistaken I shall in that time put these Governments upon such a foot, that any body may govern who has but honesty, 'though but indifferent capacity.

There is nothing material in this Province to give your L^dships the trouble of a separate letter, I only take the liberty to send you the enclosed account of the encreased Navigation and trade here in my time, I have not as yet obtained a compleat list of the numbers of the people, but am in hopes of being able to transmit that of both Provinces very speedily.

I am with all due honor

My Lords Your Lo^{ships} most Humble

And Most Faithfull Serv^t

Ro: HUNTER.

Documents Relating to an attempt to defraud some Indians of their land—referred to in foregoing letters.

The Affirmation m^r John Wills taken before John Roberdes one of his Ma^{ties} Justices of y^e peace for the County of Burlington January y^e 21st 1716-7 And also before Isaac De Cow and Samuel ffurnis two Justices of the peace of the Same County the Day and year above Said.

MEHEMICKWON the Indian KING who was Commonly by the English Called King Charles made his Complaint to me Several times That John Wetherill had a design to Cheat him of Some of his Land at a place Called Coerping: I asked him w^{ch} way that could be, he Answered that he had made him Drunk and when So had made a writing and got him Set his hand to it And this is what he Affirmed at all times when we Discoursed on that Subject And further he told me that y^e Said John Wetherill offered to give him more Drink next morning, the Indian Said he asked the said Wetherill for what he would give him Drink, the said Wetherill Answered do you not know for w^t do you not Remember you Sold me the Land last Night, no said the Indian I knew nothing of it, for I was So Drunk last Night, that I knew nothing, not So much as where I was, And if you have done Any Such thing by me when I was in that Condition as to get my hand to A writing, you have Cheated me, And I will have none of yo^r drink nor you Shall never have the Land, And for that time they parted, And Soon after y^e Indian Came to my house, very uneasy he was, And gave me this Account, And Still from time to time as he met wth me, Seemingly with great Indignation he would treat on that Subject, till in process of time he heard the Governour would be at Burlington And hoping the Governo^r would redress his Grievance in the Case, was quiet till that came to pass and when y^e Governo^r was come to Burlington And the Assembly was Sitting he came to my house and told me that John Wetherill was about to Build a house upon the Land he had fraudulently taken from him the thoughts of w^{ch} (said he) Burns like Affire in my Breast so that I cannot rest day nor night, nor eat my Victuals. Come Brother said he to me you know that Henris is gone and John Woolton is Dead I have none left but you to Assist me, All my old friends & Brothers who

were the first Settlers here and understood our Language are gone but you; Wherefore (Says he) come Brother you must go wth me to Burlington to the Governo^r for I am resolved to Complain to him of y^e abuse I rece'd from John Wetherill Do not Deny me, I told him that I was otherwaies Engaged and could not go myself But I would write to Peter ffretwell & Joshua Humphris (who likewise were his Brothers) And Desire them to go wth him to y^e Governour he Alleadged that they had not y^e Indian Language I told him they might get an Interpreter and So wrote to them, and got myself Excused for y^t time But when he came to Town and Delivered the Letter to them the Business of y^e Assembly (they being members) took up their time so that they could not Attend on him but Treated him well wth Victuals and Drink and Sent him home again, ordering him to come again abo^t a week or ten Days after and be Sure to bring me along wth him. Accordingly he came again to my house and told me they Said I must come to Town wth him, So wth him I went and when come there I got Peter ffretwell and Joshua Humphris together and we Sent for John Wetherill hoping that we might Reconcile the matter wthout troubling y^e Governo^r but our Endeavours in that respect were all in vain for nothing would Satisfie the Indian but Destroying the paper the s^d Wetherill had So basely got his hand to but the said Wetherill notwithstanding we laid before him the Injustice of his proceeding, and y^e Danger he would not only bring himself into But that it might be y^e occasion of A war in the Country if he persisted, yet he obstinately refused to Deliver the said Writing to the Indian and So we parted for that time and in y^e Evening when the House broke up we got y^e Assistance of Several of the Assembly men and particulary John Kay who was the Speaker of the House Also Samuel ffurniss and Tho^s Wetherill (Brother to the Said John Wetherill)

was wth us and we Sent for y^e s^d John Wetherill again hoping that amongst we might p^swade him to make y^e Indians Easy, for by this time the was Several Indians come to See and hear how y^e matter would End, his Bro^r Tho^s Wetherill offered that if he would Deliver up the paper to the Indian that he would let him have So much land in Another place and all the Rest that were present gave their Judgm^{ts} that his proceedings both in obtaining & refusing to Deliver the pap^r to y^e Indian was both unjust and of Evil Consequence not only to himself in particular but also to y^e Country in General But he Still Continued in his obstinacy and would not Condescend at all Not^{wth}standing all that could reasonably be offered to him So we parted wth him the Second time And then we Desired y^e Speaker to lay the matter before the Governo^r And to request of him that y^e Indians might have A hearing before him in the Case w^{ch} the Governo^r was pleased to Grant and appointed the Next morning at Nine A Clock; Accordingly Sam^l Furnis Thomas Wetherill and I, went Along wth, the Indians to y^e Governo^r And when we Came there the Indian King laid his Case before the Governo^r I (being Interpreter) Rehearsing the matter as above S^d how that fraudulently & unjustly John Wetherill had obtained his hand to Deed for a parcel of land out of ye Tract he had reserved for the Indians to live upon out of w^{ch} he never Intended to Sell any having Sold all the rest to the English and Said if that be taken from us where must y^e Indians go Signifying that he had Lived Amongst y^e English ever Since they came into the Country and that they had lived lovingly and like Brothers together And that a little Land would Serve the Indians And that there was Enough in the Country for both And therefore has [he] was not willing to be put upon Seeking a habitation Among Strangers; When the Governo^r understood the Matter he urged it very mildly wth the Said Wetherill

Setting before him the Mischiefs and Dangers that might Attend Such a proceEDURE And how that Such a Trifling matter as that was might Cost many people their Lives as well as the Charges of a War and persuade him (wth very Inducing Expressions) to make the Indians Easie telling him that he Should have A Lycence for Nothing to purchase Land Anywhere else in the Country and his Bro^r Tho^s Wetherill told him he would furnish him wth A Right to the Same Quantity of Land to be taken up in any other part of the Country then John Wetherill Urged that the Land in Dispute was purchased of the Indians by y^e Commissioners at their first Arival in this Province In Answer whereunto I Signified to y^e Governo^r that the Relation would be tedious but if he was willing to hear it I was able to Clear up that matter And prove to his Satisfaction that That Land was not purchased (I being an Eye and Ear witness to that matter being in the Country wth the very first that came to Settle at Burlington where that matter was Debated) and So I Did. Then the Governo^r well understanding that That Land was not purchased formerly he Endeavour'd wth all fair means Still to Convince him of his Error in the Case, Said M^r Wetherill take the Indians And M^r Wills home wth you and go and make y^e Indians Easy and let me hear no more of this Complaint and I Shall be Satisfied, But when I had Informed the Indians w^t the Governo^r said they reply'd and Said they would not go from the fireside till they Se that pap^r Destroyed; The Indian also affirmed that he never rece'd Any thing from s^d Wetherill Either in all or in part of payment for the Said Land But the s^d Wetherill Said the Indian owed him money, but when he was asked for w^t it was mostly if not all for Treating of him at Several times which is Common here for the English to Treat y^e Indians And not to make them Debtors for it At length the Governo^r perceiving that

fair means had no Effect upon him he told him unless he would by Some means make the Indian Easy he would order the Attorney General to prosecute him for making a Disturbance among the Indians, And also for that he Contrary to Law had purchased Land of the Indians without Lycence Unless he would Deliver up that paper to the Indians, other than w^{ch} would not Satisfie them; When he perceived the Governo^r was In Earnest wth him he fell and Condescended to go home and fetch the paper And notwithstanding he might have performed that matter in half an hour yet (as I have great reason to believe) was prevented by Some was Enemies to the Governm^t and Embrac'd every thing out of w^{ch} they Conceited they Could form Something (whether true or false) that might Cast an Odium upon it or the Governo^r) So it was that he came not again in three or four hours In the meanwhile the Governo^r Signified to y^e Indians that they might go and Come again Another time But they Reply'd they was by no means willing to go till they Saw that paper Destroyed, So when the Said Wetherill was come and had brough^t y^e pap^r he Delivered it to the Indian the Governo^r and Some of his Council being p^resent the Indian having got it forthwth tore it to pieces And threw it into the fire all but A Small Scrap that fell upon the floor Another Indian perceiving of it Step'd and pick'd it up and threw it into y^e fire also Shewing thereby their Great Aversion to it And then the Indian King gave the Governo^r his hearty thanks for Doing him that Great Act of Justice And after y^e Governo^r had treated them well wth Victuals and Drink they went away very well Satisfied.

JOHN WILLS

EXAMINATIONS taken before John Roberdes and Isaac De Cow Esq^r two of his Majesties Justices of the

Peace for the County of Burlington the twenty Second Day of January In the Third Yeare of his Majesties Reigne Anno Dni 1716. [1716-17]

THOMAS WETHERILL aged forty two years and Samuel ffurniss Aged fifty Seaven Yeares Being Quakes Declars upon their Solemn Affirmation that Abought february 1713, there being a Complaint made unto Robert Hunter Esq^r Captain and Governour in Chief of the Province of New Jersey By an Indian King Called King Charles Against John Wetherill of the County Aforesaid the he had a Designe to Cheat Him of Sum of his Land At a Place Called Coerping Saying that he had made him Drunck And had Got a Wrighting made and Got him to Sett his hand to it And we being present when the Indian King was before the Governour with the Said John Wetherill and Hearing them Debate the matter A Great While and the Governour understanding it He Argued it very Mildly With the Said Wetherill Setting before him the Mischiefs and Dangers that might Attend Such procedure and Telling him that he Should Have A Licence for Nothing To purchase As much Land any where Else In the Country and also Said M^r Wetherill take the Indian and M^r Wells home With You and Goe and make the Indian Easey and Let me Hear no more of this Complaint and I Shall be Satisfied, but when John Wills had Informed the Indians what the Governour Said the Indian King Replied Said thay Would not Go: from the fire Side till they See that paper Destroyed the Indian also Affirmed that he Never Received anything from Said Wetherill In pay for the Said Land And after Som time John Wetherill Went home to fetch the paper and further the Said Thomas Wetherill Saith Not But the Said Samuel ffurnis further Proceeds and Saith when the Said Wetherill Returned with the paper He Delivered it to the Indian In the Presence

of the Governour and Some of his Councill and the Indian tore it to Peices and threw it into the fire and went away Very Well Satisfyed.

THOMAS WETHERILL

SAM^{LL} FFURNIS

Taken Before us John Roberds and Isaac Decow two of his Majesties Justices of the peace for the County of Burlington the day and yeare aforesaid

JOHN ROBERDS

ISAAC DECOW.

JOHN KAY Came before me one of the Kings Justices of peace for the County of Burlington and upon his Solenn affirmation Declared to the truth of the underwritten to best of his knowledge Remembrance act

JACOB DOUGHTY

These may Certifye that in or aboute the month of february in the Yeare of our Lord One thousand Seven Hundred and thirteen John Wills Came to Burlington and a Indian King Called by the English King Charles and other Indians with him the Said Indian King with the rest of the Indians made Great Complaint against John Weitherill John Wills being Interpreter for Said Indians, John Wills Peter Fretwell and my Selfe with Severall others Sent for John Weithrill and heard the Indians Complainte against him which was that Said John Weitherill had Come to Said Indian King, and treated him with Sider and made him Drunk, and that he Came againe to him the next morning and would have Given him more Sider and tould him he Sould him Some Land the night before being land which Said Indian King and other Indians lived on and had Sett his hand to a Deed or writeing

for Sale of Said Land the Said Indian King Declared he remembered nothing of Selling any land to Said John Weitherill or Setting his hand to any paper and further Said he had allways Refused to Sell that Said Land and had reserved it for him Selfe and the Indians to live upon and that the Indians had a right in it and would never Suffer him to Sell it he had also promised them that he would not Sell it and that he loved to live neare John Wills and other Englishmen which he Called his Brethren and could not goe out to Settle from them and that if John Weitherill had Got him to Sign any paper it was by Defraud and Cheating him and that he Could neither eate Drink nor rest with quiet untill that writeing or paper was Destroyed we used what Endeavours we could with John Weitherill to perswade him to Deliver the writeing to the Indian King and make him and the rest of Indians Easey telling him how unjust an action it was and the Dangerous Consequence that might thereby happen but could not prevaile with him to give any Sattisfaction, I then being Speaker of the Assembly of the province of New Jersey John Wills Desired me to give our Governor an accompt of it which I did that Evening and Desired his Assistance with John Weitherill and he told me he would Send for John Weitherill the next Day to Enquire into the matter I tould John Wills of the matter and he said he would goe up to the Governour with the Indians the next day for they would not goe Home untill the paper was Destroyed the next Day I was at Diner with our Governour who was pleased to tell me that John Wills and the Indian King with other Indians had been with him and that he Sent for John Weitherall and advised him to Deliver up the paper to the Indian King and make them Easey which he was not very willing To do, the Governour Signified to him the Evill and Danger of hurt that might hapen for want there of and of the Damage to him

Selfe by being prosecuted for Such unwarrantable acting he then fetched the paper or Deed of Saile and him Selfe Delivered it to the Indian King in the Presence of the Govern^r and others, the Indian King tore it into little peices and burnt it and this is a true accompt of of what I know of the Matter to best of my memory as witness my hand this 25th of January 1716: [1716-17]

JOHN KAY

Certificate relating to some Timber taken from y^e Land of One Hartshorn for building Boats for y^e Canada Expedition in 1711. refer'd to in foregoing letter.

These are to Certify That in the Year 1711. a Certain Number of Batteaus being ordered to be Built for the Service of the then Intended Expedition against Canada, which Admitting of no Delay the Carpenters were directed to go to Sandy hook or thereabouts to Cut Crooked Stick or Timbers for the Batteaus, which the Did accordingly: That afterwards A Demand was made by or in the Name of one Hartshorn (the reputed proprietor of the Land from whence they were Cut) of a Greater Sum of money for those Sticks or Timbers than was Judged Reasonable. But so much was offered him for them as was thought an ample Satisfaction, which being refused to be taken he has hitherto Remained without Payment for the Same: And I am of Opinion that had there been time to Speak beforehand to Any person, for the like quantity of Crooked Sticks or Timbers If anything had been demanded for a matter of So little Value it might have been got for less money Than was afterwards offered to Hartshorn for his—

GEO: CLARKE

New York february y^e 6th 1716 [1716-17]

*Memorial to the Lords of Trade from Thomas Coram
—relating to the Production of Hemp and Iron in
the Provinces.*

[From P. R. O. B. T. Plantations General, No. VII. K. 83.]

Thomas Coram upon Hemp & Iron from the
Plantations

March 1716-7

Right Hon^{ble}

Pursuant to your Lordships Commands I p^rsent you my weake Thoughts relateing to Hemp & Iron to be procured in New England And His Maj^{ty} other Plantations, for the Service of This Kingdome.

What I think is Wanting to make the bounty already Granted a Suficient encouragement for Supplying Hemp from Thence And what will be a Sufficient encouragement for procuring good Iron from Thence

The bounty of Six pounds P Ton Settled by Parliament for Such good Hemp as shall be Imported from Thence I humbly conceive to be enough for the Crowne to give But as that bounty is all given to the Importer and nothing to the Planters or Raisers, These looke upon that Bounty as no benifit to them to raise it Makes the Act for encouraging the Importing Naval Stores not to have the Desired effect as to Hemp

Therefore let each & every person haue for all good Merchantable Hemp he or they shall raise The Same Bounty of Six pounds P Tun paid him or them by the Province where the Same Shall be raised

And for further encouragement of Industry for the planting & raising Hemp in the Plantations let each person who apply^s himself well or that is well imployd to raise the Same be (for his so doing) Exempted from

being imprest to Serue as a Soldier in any ffort. Garrison or otherwise than in the Mallitia whilst there are others in The Same Township who not been so well employed in Raising Hemp

This would haue better effect for raiseing Hemp than all the bounty that is giuen. And would be no maner of desservice to His Maj^{tie} or Inconueniance to any Plantation.

A Ton of the best Hemp in Yarne will weigh (after it is Tar'd and prest as it ought to be) about Twenty four Hundred and some times not so much

A Ton of Dryer Hungry Hemp will take up nere one Hundred weight of Tar more altho prest as well but the rope makers for sake of gaine doe very often press their Yarne but very Slightly in the Taring of it by which a Ton of Yarne will after being Tar'd weigh aboue Twenty Six Hundred To the prejudice of the Coardage as well as a great abuse to the buyers

AS TO IRON

There is plenty of Iron Oare in New England and several Iron Workes There from whence a good Supply may be had but the Iron hitherto made there is Generally bad which I conceive is for Want of Skillfull Workemen and good encouragement

I haue experienced good Iron can be made there haueing had very good purposely Made for the Worke of a Ship built there in the Yeare 1698 which Iron worke was extraordinary good The Chaine plates in perticular I saw remaineing upon that Ship in the Yeare 1711

For The encouragement of Makeing good Iron in the Plantations & Importing it into This Kingdome

Let a bounty of 40^s P Ton to the Maker of all Iron equall in goodness to the best Sweds Iron be paid by the province where The Same Shall be made. And 20^s P Ton to the Next Sort Not altogether so good to be

also paid by the province where made but no bounty
To the third sort or for bad Iron

That each Sort of Iron be distinctly Marked where
Made with the Kings Marke and that of the Province
upon every Bar by an Assay Master or proper person
to try the Iron by His Maj^{ties} Appointment

And that it may be felony for any to Counterfeit or
misapply the Kings Marke upon any Iron

And that it may not be Trespass to dig or take Iron
Oar in Any Lands lying Wast or not within fence And
the Same exemptions from Impressing to all those
employed in Makeing Iron as is proposed for Those
who shall be constantly employd in raiseing Hemp

That for all Iron of the best Sort marked as afore
said which shall be Imported into This Kingdome Such
bounty be given to the Importer as His Maj^{tie} & His
Parliament shall think fitt to encourage the Same

There may upon easy encouragement be very good
Copper had from New England

This is what is most Humbly Offerd to This Right
Hon^{ble} Board by

Your Lordships Most obedient Serv^t

THOMAS CORAM

To the Right Hon^l The Lords Commissioners For
Trade & Plantations

March 171⁶₇

*Extract from Minutes of the Council of West Jersey
Proprietors, March, 1716-17 appointing James
Alexander Surveyor General.*

[From Papers of James Alexander, Surveyor General, in Rutherford Collection.]

WHEREAS for two years past No Surveyor Generall
has been appointed by this board but the persons the
last named have been hitherto continued. It is now
Resolved that James Alexander be the Surveyor Gen-

crall of the Western Division of this Province during his good behaviour in the discharge of which office he is to observe the following regulations

The said Office shall be held and kept in the Town of Burlington by him the said James Allexander or in his absence by a sufficient Deputy for whom he shall be answerable but such Deputy shall first be approved by this board.

All warrants shall be lodged in the said Office and there entred and the Surveyor Generall shall direct his order for operating the same to some one of his Deputies from whom he is to recieve such Deputies return and the same has been duely examined and Corrected if need be the said Surveyor Generall or his Deputy in the said Office shall make out another return signed under his or his said Deputies hand to be made to this Board for their approbation after which the same shall be recorded or entered at large in the said Office.

The said Surveyor Generall or any of his Deputies by his appointment shall not Survey any lands within the Western Division without a Warrant from this board authorizing him so to do.

The said Surveyor Generall shall according to a former minute of Agreement made with Coll. Morris endeavour to Collect and shall lodge in the said Office at Burlington all Books and entras of Surveys (the Records of the Secretary's Office excepted) Warrants Draughts Maps and papers whatsoever which concern the Proprietors or Purchasers of Lands within this Division and there safely keep them for the service of the Publick and Shall not at any time remove such books entries Warrants Draughts or papers out of the said Office or out of the Town of Burlington for any longer time than the space of twenty days and then only where it shall be absolutely necessary for vouching any Survey contested at any of the County Courts.

The said Surveyor Generall shall not as Surveyor of the Eastern Division of this Province (in case any lands should be contested between the Proprietors of the two Divisions) presume to Survey for those of the Eastern Division any lands whatsoever that have been regularly Survey'd before our Proprietary rights of this Western Division.

And it is further ordered that all the Surveys not yet made on Warr^{ts} already Granted shall be brought into the said Office and returned from thence to this board pursuant to the foregoing articles.

A true Copy p-me.

JOHN WILLS Cleric:

*Letter from George Willocks to Governor Hunter—
about Rev. Mr. Talbot.*

[From P. R. O. B. T. New Jersey, Vol. II, in D 75.]

May it please your Excellency

I perceive m^r Talbot is Scrupulous to discover the names of those that were concerned in the wicked design, which made me desirous he should stay that I might have a little time here with him either to make a further discovery to me, or to prevail with him to doe it to your Excell^y when he waits on you, which I am hopefull to effect, and shall accordingly inform your Excellency; I earnestly wish he might give such a light that some other person could be brought in for an Informer, and he for an Evidence.

my Wife gives her humble duty to your Excell^y as doth

S^r Your Excell^{ys} faithfull & oblig'd humble Servant

GEO: WILLOCKS

True Copie

RO: HUNTER

Amboy April 3^d 1717

Letter from Rev. John Talbot to Governor Hunter.

[From P. R. O. B. T., New Jersey, Vol. II, D. 62.]

Amboy April 3^d 1717*May it please y^r Ex^{cy}*

I had the favour of yo^r Ex^{cy} Letter this Morning w^{ch} I might have answered sooner if I had it but I could not come sooner unless I had left all the Churches destitute from Philiad^a to this place, I can prove to yo^r Ex^{cy} what ever I have said, or what ever is said of me that I have done no harm in your Province but have prevented a great Deal that would have bin done by others had I consented to it I am for peace wth all men especially Gov^{rs} & peticularly to yo^r Ex^{cy} I hope always to approve myself a dutiful Subject There is no Minister for next Sunday so my Good ffriend M^r Willikes &^c have prevailed wth me to Stay till Monday Then God willing nothing shall hinder me from writing upon your Ex^v at New York I have no other business & nothing could have Called me so far from my Church this Lent But to make it appear that I am

Yo^r most humble & dutifull Servant

JOHN TALBOT

*Letter from Governor Hunter to the Lords of Trade—
with Acts of New Jersey Assembly.*

[From P. R. O. B. T., New Jersey, Vol. II, D 52.]

New Jersey.

N York y^r 8 April 1717*My Lords*

Haveing nothing material to trouble your L^{ds}hips with in the affairs of New York at this time, this letter relates chiefly if not solely to these of New Jersey.

I herewith send your L^dships the Minutes of Assembly, and all the ingross'd acts pass'd last Session, there haveing been some mistakes in the Copying of the minutes of the Council I cannot send them by this conveyance, the Acts are

1 An Act for repealing an Act intituled an Act for ascertaining the place of the sitting of the Assembly— That act which by this is repeal'd haveing been obtain'd and carryed through that Assembly by the most notorious tricks that ever were put in practice, being unequal and unjust in its self, a clog upon the administration here, and the pretended grounds on which it was founded intirely remov'd by the increase of the people and building at Amboy, I thought fit according to your L^dships advice to have it repeal'd by a law here.

2 An Act for the support of Government for three Years &c:

3 An Act for the currency of Bills of Credit.

4 An Act for laying an Excise on all strong Liquors retailed &c:

5 An Act for the more regular chooseing Collectors and Assessors &c:

6 An Act for the better laying, out regulateing and preserving Public roads.

7 An Act for the better inforceing an Ordinance for the farther Establishment of fees and ferryages.

8 An Act for explaining an Act entituled an Act for ennobling the Owners of the Meadows adjoining to Burlington to stop out the Tide.

These I think want no observations upon them

9 An Act to infore the payment of 340 ounces 2d: weight of plate due from the Inhabitants of Burlington county, being their part of the 5000 lb: tax for the year 1714.

M^r Hewlings one of the expell'd Members of this Assembly, and M^r Cox's cheif Minister being Assessor

for that county chose to incur the penalty in the former Act rather than doe his duty in Assessing, in order to put a stop to the payment of taxes as far as in him lay which created the necessity of this Act.

10 An Act for vesting the lands late the estate of William Hall esqr in Trustees to be sold for the payment of his debts.

This act was pass'd upon the application, and consent of the widow and children of the deceas'd.

11 An Act to enable John & Sicha Pettinger to sell the estate late of Richard Pettinger for payment of debts.

This was also pass'd on the same grounds.

12 An Act to Naturalize Jacob Arents and his three Children.

13 An Act to prevent unreasonable burning of the woods.

14 An Act to repeal part of an act entitled an Act to prevent the waste of Timber &c:

15 An Act for repealing a Law entituled an Act for laying a duty on Wheat exported out of the Eastern division of New Jersey.

16 An Act to enable some persons in each County to inspect the Rolls of all the Assessments in said Countys, &c:

All which are most humbly submitted to your L^dships consideration and recommendation to His Majesty

In the mean time that Province enjoys more perfect tranquility than it has hitherto ever known, and I can hardly believe it would be in M^r Cox's power to raise any new disturbance, his very accomplices being ashamd, and sick of him.

I have sent to M^r Philips some papers relateing to that Gentlemans conduct, and his complaints; and shall only observe once more to your L^dships, that if such as he, Mullford, and Sonmans all notorious

criminals fled from Justice, meet with countenance or encouragement on that side We may indeed be made easier by their absence, but your L^dships will have more trouble than it is reasonable you should undergoe.

M^r Talbot mentioned in my last is come to Amboy in order to come to York, I expect him every day I have sent a Copy of his letter, and the other Gentlemans to M^r Philips, M^r Talbot it seems is unwilling to be an informer tho he will not decline being an Evidence if need be, when I know more of that matter I shall more fully inform your L^dships. in the meantime I am with all imaginable honour

My Lords

Your L^d^{sh} Most Humble And Most Obed^t Servant

RO: HUNTER.

*Letter from Governor Hunter to Secretary Popple—
with minutes of the New Jersey Council.*

[From P. R. O. B. T. New Jersey, Vol. II. D. 15.]

N. York y^e 3^d May 1717

D^r S^r

By this poor Conveyance I send the Minutes of Council of y^e Jerseys w^{ch} were omitted by the Last please to lay them before their Lo^{sh}.

I have heard Nothing of Cox or his buss'nesse, but must Still Insist upon't that If three Notorious Criminals Cox Sonmans and Mulford all fled from Justice shall be any means meet with Countenance and Incouragement untill they have Surrender'd themselves to tryal for what they stand Accus'd, the order of things In y^e Plantations is Inverted and Government or Governours of no further use. In hott Countreys we have many hott heads, and Every man who is not Employ'd or Gratify'd In his own way is a Grumbler

and hopes Some advantage from a Change, So that Subscriptions for maintaining plaintiffs in Engld are Easily obtain'd but not Easily pay'd as Some I believe have found to their Cost. I have wrote to M^r Philips What Talbot Confess'd to me which he'll Communicate to you.

If it were never so necessary I can not Get home Now, our Station Ship having thought fitt to proceed directly for Eng^d from Jamaica as we are Inform'd. So now we have no Guard Ship and Two pyrates actually plying on our Coast

I beg my clame in parlia't may be pusht and take its chance, I know nothing I could do that may not be done by my friends. If these who sent me on that Earand abandon me it is In vain to look for redresse if they stand by me I can not faile. Whatever becomes of me or that I am unalterably

Yours

RO: HUNTER

A good Ship goes Next week by which I shall write more amply to M^r Banmpfield.

*Letter from Governor Hunter to Secretary Popple—
relating to Daniel Cove and New Jersey affairs.*

[From N. Y. Col. Docts., Vol. V, p. 482.]

To W^m Popple Esq^r, &c.

Sir

The Ship which was to carry the Packets having sprung a leake and return'd, this other by which this comes is sent off in such haste, that I have not time to add more, than to desire you'll Inform their Lordships, that the Assembly in this place is now sitting in very good disposition for the Publick intrest. My jour-

ney to the Frontiers may give them some small interruption, the Indians being on their March thither to meet me.

I have had no letters since those which brought me my licence, which I cannot make use of, least the Jerseys should run again into confusion. M^r Cox has writ over to M^r Trent of Philadelphia, and others his friends that that Province is certainly to be put under a separate Government. And I doubt not but he has assured his accomplices that he is to be the Governor, now all the use he can propose to make of this is to keep up the confusion he has raised and since his departure was well nigh laid, for a wretch one Hunt who has basely murder'd the High Sherif of Salem County (where Cox's chief tools live) being examined by M^r Lyal one of the Council, confessed and seemed Penitent for the Barbarous murder but said withall that one inducement to his wickedness was, that he was made to believe that Col: Cox was on return Governor of the Province, and that he was secure, having been prompted to what he did by suggestions, that the Sherrif, Col: Sharpe the Judge of the County and Justice Wyatt had the chief hand in laying on the Taxes. Thus are these poor creatures deluded and misled, what I have to desire is not that it may not be made a separate Government but if the King does not think fit that it should as I believe nobody besides that vile party does, that some speedy method should be taken to undeceive the people who if never so well disposed will waver and turn doubtful upon these reports.

A letter from their Lordships to that purpose will effectually do the business. I must still insist upon what I have so often writ, that if these Criminals Cox, Sonnmans, Mulford and Huddy who have fled from Justice are not discouraged, or ordered back to take their tryals their numbers will increase, the adminis-

tration here indanger'd, and the Ministry at home molest'd from time to time with false and groundless clamours Pray instruct M^r Bainfield & Philips in the best manner you can to apply in this matter, as you shall think most convenient, for that party like a greater of the same time at home subsists by lyes I am without reserve

Sir Your most obliged humble Servant

New York May 13, 1717.

RO: HUNTER.

*Letter from Governor Hunter to Secretary Popple—
relating to Disorders in New Jersey.*

[From P. R. O. B. T., New Jersey, Vol. II. D 56.]

N York y^e 24th May 1717

D^r Sir

I have Just rec^d yours by the way of Boston wth the Copie of that Complaint of M^r Coxes to his Ma^{ty}, I am this minute going on board for y^e Jerseys to communicate it to His Ma^{ty}s Council there, And I believe the Council the Assembly and all the freeholders of y^e Province, a very few Excepted, even Some of these who's hands are Sett to that petition will give it the lye in Every Particular, Some of these having Solemnly declar'd that they never Sett their hands to any paper reflecting on me but only to one desireing a Separate Governm^t

So Soon as I receive it by Order I Shall answer it in Form, though what I have already transmitted and herewith Send to you may be Judg'd Sufficient to Expose the falsity and Malice of that Paper, there be no possibility of answering to Gen^l Articles, and these Affid^{ts} or Affitimations relate to all that is particular

I can not See any use M^r Cox can propose to make of that paper unlesse it be to keep up the Seditious humer and disposition In the minds of these unwary men whom he has seduc'd and try to procure a Subsistence to himself on that Side by their Subscriptions as Sonmans did for a Long time till his Subscribers Smoak't him and left him in the Lurch, for his Conscience must tell him that the Articles are all false and Groundlesse and can not fail of being made appear to be so upon hearing

The Inclosed Affidavit of M^r Willcocks with the Copie of M^r Talbots Letter to me will show the Lords what Spirit the Faction is of

I wrote to you In my Last that M^r Talbot was unwilling to be Informer, but own'd to me the whole Contain'd In Willocks Affid^t w^h some aggravations but desir'd to be Excus'd nameing names or persons 'till there was a necessity for it to which I answer'd that I Should not then Insist upon that but If M^r Cox or his Party (which was at present Quiet Most of them having Submitted and ask'd pardon) gave me any fresh trouble he must resolve to answer upon oath to Such Interrogatorys as should be put to him to which he answer'd that he was moraly assur'd that I never would hear more of them. Now I am about to Git his detection and Infirmat'n upon oath which I Shall transmit when it is done, but he living at a distance and I being under a Necessity of meeting our Indians Immediatly at Albany it will go over Later then I could wish

I beg you'll also put their Lo^{sp}s in mind that M^r Cox & his party w^{ch} were dignify'd by and proud of the Name of y^e L^d Cornburys party did in y^e first place all they could to render the administration of y^e L^d Lovelace Uneasy, and had Sent home 19 articles of Complaint ags^t him (a Copie of w^{ch} I had from their agent M^r Dockwra upon my being appointed Gov^r of y^t

Province) before he had been So many weeks In his Gov^t. That Upon my arriveal they Serv'd me in the Same Maner, that I Submitted their whole Conduct to Her Late Ma^{ty} and her Ministers, that Upon full and I think frequently repeated hearings both at y^e Board of Trade & Privy Council her Ma^{ty} was advis'd to dismisse M^r Cox and his associates from her Councils as disturbers of y^e Public peace which she was pleas'd to do accordingly That (If I be not Mistaken) every Assembly In y^t Province have address'd against him as Such to which I referr all having been transmitted to Y^r L^{ds} of Trade from time to time That Instead of 49 I undertake to Send if requisite 4000 voluntary Subscriptions to a testimonial that Shall Confirm his Just clame to y^t Character That if there be not Some Method found or follow'd to discourage his Clamours at home faction & Confusion must be reviv here again where all is Quiet. To Confirm my assertion One Hunt who barbarously Murdered the High Sheriffe of Glocester In his bed and is at this Instant on his tryal Confess^d to M^r Lyal one of y^e Council upon Examination that, hearing that Col^l Cox was arrived in Virginia wth y^e Com^o of Gov^r prompted him to that barbarous fact being assur'd that in that case he would Escape with Impunity, That Sheriffe M^r Justice Sharp and Wyatt who were also mark^d for destruction) having had (as he Said) the Chiefe hand in Laying of Taxes on y^e people. After his Tryal I Shall Send a more Ample account of this Matter. That the few Subscribers of his Lybel are either Notorious delinquents or Ignorant and Obscure men who have been Impos'd upon, as one of them by Name Clements was in y^e Subscription of another Paper of a very dangerous Nature presented to y^e Last Assembly he Came Voluntarily and gave his oath that Richd Ball another of these Subscribers first made him and the Comp^y drunk and then presented a paper which he told him

and them was Only a Copie of the Poll of y^t Election and that they had Signed it only as Such, though the true contents of y^e paper was a Menace to the Assembly to forbid them to make any Laws for laying on of Taxes

This Bristol Ship goes off this Evening I have Stopt her only for y^e Letter which being writt In Such hurry I'm asham'd to desire it to be lay'd as it is before their Los^{ps} but Such as it is I believe it will be Necessary they Sie it as also y^t M^r Bamfield and M^r Philips have either Copies of it or y^t it be communicated to them.

Now I dare not use the Licence, for I know not but that Province may run into Confusion upon my departure, being then under y^e administration of y^e Eldest Councelor Independent of this Government. the factious are fed w^t Lyes and false rumours which when they think themselves uncomeatable will push them perhaps on Extremity dangerous to themselves and the Government. but if I could leave them w^h Safety to y^e Publick I have at present No means of Transport Nor Can I propose to have any till the Station Ship receives Orders for her return Considering the train of Motherlesse Infants w^{ch} I must not leave behind me.

You have been ever a Generous and warm friend to me. w^{ch} procures you all that Trouble I hope to acknowledge it Some time or Other In a better maner

I hope my Clame In parlia^t has not been putt off upon acc^t of my Absence I can not See that my presence is So absolutely Necessary in So plain a case. whatever betide me depend upon my being Intirely

Yours

RO: HUNTER

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[Deposition of George Willocks, relating to the conversations had with the Rev. John Talbot,—enclosed in foregoing letter.]

PROVINCE OF NEW JERSEY.

George Willocks of Perth-Amboy in the County of Middlesex And Province aforesaid aged fifty Six years Maketh Oath that Some time in the month of September last he the Deponent being in private Conversation wth y^e Rev^d M^r John Talbot Missionary from the Society for the propagation of the Gospel in Forreign parts for the Church of Burlington wth whom for divers years before he had an Intimate Conversation but Interrupted as the Deponent believed by M^r Talbots weakness in being drawn aside by M^r Cox M^r Bass and divers other p^{rs}ons in Burlington to State himself a forward person to oppose the Administration of the Governm^t under y^e p^{rs}ent Governo^r Brigadier This Dep^t did then Endeavo^r to make y^e s^d M^r Talbot Sensible 1st of being out of y^e duty of his office as Minister to widen, but to reconcile breaches 2nd of Ingratitude, that y^e Governo^r had always treated him wth ye Greatest Esteem he could Expect 3rd of Injustice that it was not in y^e power of Brigadier Hunter's Enemies Justly to Tax his Administration as Governo^r or his morals as a Gent., after having Conversed several times on this Subject he told the dep^t that he was Sorry there had Such misunderstandings happened and that he had fallen under y^e Governo^r's displeasure & wished y^e breach between them Could be made up, he for y^e future would take care never to Concern himself in matters of Government, in that or any other province The Dep^t Said he believed y^e Governour to be of y^t temper upon the Acknowledgment of y^e faults his greatest Enemies they could not be readyer to ask than he to forgive. He desired this Dep^t to Endeavo^r A re-

conciliation the Dep^t Answered he pretended to no Interest wth y^e Governo^r but was Acquainted wth divers Gent that had y^e hono^r of Conversing wth his Excellency and that by some of them he would do w^t he could, and doubted not (unless he had put it already out of y^e Govern^{ts} power) upon Acknowledging of the truth of being misled, and better Conduct in time Coming he might be Easy as he could wish under his Governm^t

I had A Letter from him dated the 16th of October last wherein he did Express his Sorrow for y^e misunderstanding between his Excellency And him that he had really an hon^r for y^e Governo^r that he was for in Church and State and y^t we all ought wisely to Consider (as Livy says) what has an ill begining will have an ill end.

About y^e middle of January y^e Dep^{ts} occasions calling him again to Philadelphia being then in Discourse thereupon y^e Same Subject wth M^r Talbot the Dep^t reflected upon his past Conduct in being Ensnared by Unjust Men to oppose any transactions in y^e Governm^t he reply'd to y^e Dep^t that y^e Governm^t (meaning that of New Jersey) lay under an Obligation to him if he had prevented the Destruction of houses and a great deal of trouble & mischief that would otherise have happened.

Upon my return from pensilvania I waited upon his Excell^y Brigadier hunter in West Jersey the Assembly being then Sitting And Did then Acquaint the Governo^r wth what I had as above from M^r Talbots Mouth

In the Month of April M^r Talbot was Some Nights at the Dep^{ts} House in Perth-Amboy, in his passing to and Coming from New York. And then he told the Dep^t That at the time of Election of representatives at Burlington there was a Man Came to him And said they would pull down the Quakers—Meeting house & Dwelling Houses or Burn them, from which Resolu-

tion he Diswaded them And if not prevented by his Advice it had been put in Execution And probably Ended in the Destruction of y^e town, further that an old Fool (as he called him) Advised with him at another time and asked him if they should not break all the Quakers Glass windows for not putting out of Lights; And Lastly that there was an Agreement Amongst them if he had been Imprisoned to have pulled down the Goal bit by bit which he told them he would prevent by Leaving y^e province wherein my memory has failed in Expressing y^e matter of y^e above deposition in y^e Exact words it was Expressed I have not deviate from the true sence and meaning Witness my hand at Perth Amboy in New Jersey this 21 Day of May 1717

GEO: WILLOCKS.

* * * * *

GEORGE WILLOCKS appeared in open Court and made Oath on the Holy Evangelist of Almighty God that y^e Contents of y^e within & above written is true and further Saith not

THOMAS GORDON

AD: HUDE
JOHN FIELD
MOSES RALPH
THO^s PIKE

Address of the House of Representatives of New Jersey to Governor Hunter, May, 1717.

The Humble Address of the House of Representatives of the Province of New-Jersey.

May it please your Excellency;

The Speediness and Unanimity of our Resolves, in which there was not one Dissenting Vote, we hope, will induce your Excellency to believe, That this House

is fully designed to make good all they have given your Excellency just reason to expect from them in their former Addresses. And we beg leave further to assure your Excellency, That no Clogs or Obstructions laid in our way by Crafty or Designing Men shall ever have power to Obstruct our united Endeavors to make your Excellency easy, by providing an honourable Support for the Government, according to the Abilities of our Country, paying of the Arrearages due, and supporting of the publick Credit, and the People we Represent happy, by providing such Laws as may be for their Advantage, and as much as in us lies, putting an end to those UnChristian Divisions that have almost Ruin'd this unhappy Province. May the God of Peace so bless the Endeavours of your Excellency, the Gentlemen of his Majesties Council and this House that this General Assembly may to future Generations have the Character of Establishing that Love and Peace in this Province which too many have endeavoured to hinder and too few to promote.

Several Members of the General Assembly being of the people called Quakers do heartily concur in the above-written Address, as to the matter and Substance but make some Exception as to the Stile.

HIS EXCELLENCY'S ANSWER.

I thank you for your Address; and as I believe it is the Sentiment of your Hearts so I will freely declare mine to you. That seeing His Majesty has been pleased to intrust me with this Government, it shall be my Endeavour and thought to make every person therein Easy under my Administration.

*Letter from Governor Hunter to Secretary Popple—
with a Minute of Council.*

[From P. R. O. B. T., New Jersey, Vol. II. D. 55.]

L^r from Brigad^r Hunter Gov^r of New Jersey &c
to y^e Sec^{ry} with the Copy of a Minute of y^e
Council of that Province relating to a Peti-
tion to his Ma^{ty} containing Articles of Com-
plaint against him.

D^r Sir

Having wrote by the Same Sort of Conveyance (by Bristol) two or three days agoe, I have only to add to what I then wrote, the Inclosd Copie of a Minute of y^e Council Of N Jersey relateing to y^e Paper you Sent me, being to meet that Council before my Journey to the Frontieres to meet our Indians I thought it necessary that the Paper should be in the mean time Submitted to them. What will you say when the Whole Province even the Suppos'd Subscribers themselves shall disown it under their hands. I have not mett yet with one man who is not astonisht at the Impudence and folly of y^e promoter who must know that by y^e very first opportunity he must be disprov'd as to every Article In the paper that requires any Answer I beg you'll also lay this before such as you Judge fitt, letting M^r Philips and Bampffield have Copies. If that Man could Contrive to get me once absent for a little while before matters are fully settled I am apt to believe his despaire would prompt him and his few Associates to do Something that would hazard not only the Peace but y^e being of y^t Province. I know

Not how he appears with you, with us he is lookt upon
to be besides himself I am all and Intirely

Yours

N York y^e 27 May 1717

Ro: HUNTER

[Enclosed in the foregoing letter.]

To the King's Most Excellent Majesty

The humble Petition of several Traders, Inhabitants, and Proprietors of New Jersey in America in behalf of themselves and many others.

Sheweth

That Robert Hunter Esq having been appointed by Her late Majesty Cap^t Gen^l & Gov^r in cheif of the Province of New Jersey, New York and the Territories thereon depending in America and Vice Admiral of the same, and the Commissions for continueing y^e said Robert Hunter in the said Post being lately renew'd by your Majesty, and the said Robert Hunter haveing dureing his said Govern^t acted very illegally, unwarrantably and unjustly to the great damage and prejudice of your Petitioners, and the rest of the Traders and Inhabitants, in, and Proprietors of the said Province, and your Petitioners being unable to relieve themselves against the oppressions of the said Robert Hunter any other way than by applying to your Majesty, Your Petitioners have presun'd to lay before your Majesty in the following particulars some few of the many mismanagements of the said Rob^t Hunter.

1^o . . . The said Coll Hunter dureing the time of His Gov^t delay'd Justice, and took upon himself in an illegal manner to dispence with the laws of Great Brittain, and of the Assembly of New Jersey.

He turned out the Sheriff of Middlesex and Somerset in New Jersey before his Year was expired.

Without any cause assigned, and contrary to his Instructions (to the great detriment of the Province) he turned out most of the Judges and Justices of the Peace throughout the said Province of New Jersey, and put in several new Judges and Justices some not residing in the Province for which they were appointed, others not fitt for these employments.

He permitted persons to sit, and act in the Council and Assembly of the said Province of New Jersey without qualifiyeing themselves as his Commissions and Instructions direct.

He invaded the property, and injured the ffreehold of your Majestys Subjects by causing their timber to be felled upon their estates, and carryed away in a very illegal manner, and by burning and destroying the deeds and titles to their lands.

He passed all the Laws enacted by the Assembly of both Provinces in a Style directly contrary to his Instructions, altho otherwise advised by Her late Majesty's council.

He permitted very great sums of money to be issued and disposed of contrary to his Instructions.

He hath not caused books of accounts of receipts and payments to be duely kept, and attested upon oath, nor transmitted such books to England as by his instructions he is enjoyned to doe.

He hath passed several Acts of Assembly in both Provinces directly repugnant to the laws of England which his Commissions and Instructions directly forbid.

He hath erected New courts of Indicature within the said Province such as were not known there before, whereby the Inhabitants have been much injured contrary to his Instructions, and the laws of England.

He hath illegally order'd restitution of the goods of several persons, which pursuant to an Act of Assem-

bly of the Province of New Jersey made before he was Govern^r, were regularly distrained.

He hath stopped Prosecutions of his own head without adviseing with the Council, tho those Prosecutions were expressly directed by the Council (Nemine Contradicente) before his arrival, against persons who upon Examination appear'd guilty of gross crimes.

He hath illegally taken upon him to grant diverse patents & Charters for constituteing and makeing Townships in the Province of New Jersey, whereby diverse persons have been divested of their property without being heard, notwithstanding Caveats have been enter'd against the passing of such Charters and Patents which Charter or Patents never pass'd any office in the said Province.

He hath in the Writ for Summoning two Representatives to serve in General Assembly for the town of Burlington directed the Qualifications of the Electors to be repugnant to what his Instructions require.

He summoned two Assemblys in a short time one after another without permitting either to meet.

He hath by frequent and short Prorogations of the Assembly obliged several of the Representatives to travell many hundred of miles forward and backward from their own habitations to the place where the Assembly was directed to sitt, without so much as ever meeting them, to their great trouble loss & expence.

He hath not only dispenced with but endeavourd intirely to destroy an act of Assembly of this Province that has received the Royal Sanction in Great Britain, and was publishd by himself, and enter'd in y^e Council books, notwithstanding the humble request and Representation of the General Assembly of this Colony to the Contrary.

He hath presumed in an illegal manner to grant warrants for apprehending and forcing several of the

Members of the Assembly to come to Perth Amboy, and when there by threats and commands he obliged them to continue in the said town several days, tho the Assembly not sitting, to the great damage of their private affairs, as well as the debarring them from serving God in any place of worship on the Lords day.

He hath fomented kept up and increased the divisions and animosities among the Inhabitants of this Province by publishing and dispersing Papers in Print, which contain positions contrary to the laws of Great Brittain, and the Right and liberty of the Subjects.

He hath neglected ever since his accession to the Government to keep the Militia of this Province under such order & discipline as is necessary for the defence of it against the attacks of the Barbarous and Treacherous Heathen enemy who lay in considerable numbers at no great distance from us.

By which Arbitrary proceedings of the said Robert Hunter your Petitioners are so very much greived that without your Majestys Protection (which your Majesty's Petitioners humbly Implore) they and their familys, as well as your Majesty's said Province must be inevitably ruined.

Your Petitioners therefore humbly pray they may be heard to this charge, and that your Majesty would please to give directions that your Petitioners may have recourse to such Commissions, Instructions, papers &c: and such persons whose attendance is necessary may be obliged to appear, that your Petitioners may be enabled more fully to make out these particulars, and that your Majesty would doe in it what to your Princely wisdom and clemency shall seem meet for the releif of your Petitioners in these deplorable circumstances, and your Petitioners as in duty bound shall ever pray &c:

Wm Clowes	Joseph Piron	Joseph Dennis
Jacob Heulings	Alex ^r Lochart	John Starke
Richard Kirby	Abra ^m Browne	Dan ^l Leeds

Will: Spenser	Rich ^d Allison	Tho ^s Fox
Jona ⁿ Lovett	Nich ^s Browne	John Wright
Will ^m Cuttler	Mic ^d Newbound	John Marshal
George Willis	Arthur Cleayton	W ^m Fox
Tho ^s Shreave	Tho ^s Mackinsey	Tho ^s Bransart
Will ^m Dowes	Tho ^s Wright	John Bowne
Step: Harris	Will ^m Kirby	John Ineth
John Garrett	Charles Millard	John Rudvores
Will ^m Dean	John Bulark	John Lawrence
R ⁱ Ball	Elisha Lawrence	Nich ^s Gateau
Jacob Clements	Zebulon Cleayton	Dan ^l Robins
Benj ⁿ Kirby	Rich ^d Lawrence	Benj ⁿ Lawrence
Samuel Wright	Rob ^t Lawrence	Will: Evillman
Tho ^s Dowse	Jos: Lawrence	John Hammell

THE ABOVEWRITTEN PAPER haveing been communicated to us by your Excellency as accusations made against you by the persons above named, calling themselves Traders, Inhabitants, & Proprietors of New Jersey, We beg leave to observe to your Excellency that the Persons signing the same are for the most part the lowest, and meanest of the people of this Province, who we beleive have been influenc'd by m^r Daniel Cox, to whom we cheifly owe those disturbances that have unhappily distracted this Province, and haveing look'd over those Articles of complaint we find the most part of them false in Fact, and such of them as have any colour of truth, are what we humbly conceive your Excellency might & ought to have done for preserving of the publick peace.

At a Council held at Perth Amboy the 25th May 1717

T: Byerley	Lewis Morris
David Lyell	Thomas Gordon
	John Anderson
	John Hamilton

A true copy from the original minute of Council

Ro: HUNTER

Letter from Governor Hunter to the Lords of Trade.

[From N. Y. Col. Docs., Vol. V, p. 483.]

To the Right Hon^{ble} the Lords Com^{rs} for Trade
& Plantations

My Lords

[Extract.]

* * * * Having received from our agent a copy of a memorial containing compl^{ts} against me, promoted and pres^d to His Majesty by Mr Dan: Cox, I have by this conveyance transmitted to him as full and satisfactory an answer as ever was given to any thing of that kind, which if your Lords^{ps} please, he will communicate to you, by the contents of which you will perceive that if that country is not now actually in arms and Rebellion, it is not for want of pains in the Gentleⁿ and his associates, I have formerly acquainted your Lordships that all the divisions in the Jerseys were owing to him, and that he had fled from prosecution for the same, and crimes of that nature, and thought that I had reason to insist that he should first be remanded to answer for his conduct to the laws here, before he could well be received as a plaintiff on the other side, however I have now answered without regard to that and cannot see what reparation it is possible for him to make for the injury he may have done to my reputation by such false and groundless complaints, for thousands will hear of the accusation who may probably know nothing of my Justification

* * * * *

My Lords Your Lordships most humble
and most obedient Servant

RO: HUNTER

[July 1717]

[Under date of May 18th 1719 Governor Hunter wrote to Secretary Popple "Cox has writt to his friends that he has had a full hearing in Council. If he has new matter it is but Just I should be acquainted with it, if not I have answered the old but I am weary of this life"—ED.]

Letter from Governor Hunter to Mr. Philips, Agent for New York,—in answer to the Complaints against him.

[From P. R. O. B. T. New Jersey, Vol. XIII. p. 396.]

To Ambrose Philips Esq^r

[New York July 27th 1717]

Sir

I have received your's with the Copy of a Paper called the humble Petition of several Traders, Inhabitants, and Proprietors of New Jersey in America, in behalf of themselves & many others. What follows is a Sketch, from whence I desire you may frame an Answer in form, being myself a Stranger to all such forms, having never been before laid under any necessity of giving Accounts of my conduct, or any part of it, either in publick or private Stations by way of Answer to articles of accusation.

Although I am well persuaded that the Lords to whom the consideration of it was referred, must at one view have been fully convinced, that the complaints are malicious & frivolous, but being by them touched in the tenderest part I now shall by the clearest proof the accusation can admit of prove them false and scandalous.

And in the first place I have just reason to affirm that there never was any such Petition signed as mentioned in the title, for the proof of which take the

opinion of his Majesties Council of that Province in fol: (4) of the inclosed Cedulae, Nicholas Gateau one of the supposed subscribers his Letter or address to me fol: (17; 18) the said Gateau's Affidavit before the Recorder of Philadelphia in Pensylvania fol: (19, 20) the Declaration of Arthur Clayton, Daniel Leeds and W^m Cutler as in the Affidavits of David Lyel Esq^r & W^m Bradford in fol: (26, 27; 39 40; 41) the Certificate of W^m Spencer one of the supposed Subscribers fol: (6) & the address of the Justices of the County of Hunterdon, relating to it, fol: (5). by all which it will appear that the Petition presented to his Majesty is either a forged Paper, or that it was offered to the signers as a paper of a quite different nature from that which appears now to be of, & that taking it for granted that it had been subscribed by the Persons whose name are set to it, they are not Traders, Proprietors & Inhabitants of the Jerseys, but many loose, vagrant and inconsiderable Labourers real Inhabitants in no fixed place.

In the next place intirely waving that Plea at this time (though I must not, will not depart from it for reasons very forcible, & which I hope in a little time will fix the tranquility of that Province for ever in spite of all M^r Cox or his few associates may be able to do) & taking it for granted that such a Petition was actually signed willingly & knowingly by these very Persons, whose names are affixed, I do affirm that it's contents as far as they have the appearance of grievances or just grounds for Complaint are absolutely false, & first as the general accusation of having acted very illegally, unwarrantably & unjustly, of having oppressed the Inhabitants & Governed arbitrarily &c^a I appeal to the former publick Declarations & Testimonies of all Councils, General Assemblies, Grand Jurys, & Quarter Sessions in their several Addresses to her late Majesty, to his present Majesty, & to my

self, most of which remain with the Lords of Trade or in the Secretaries Office, as also to the addresses of the Several Counties, Justices, & Grand Juries, relating to the very Petition or Complaints, and the Councils Opinion of that Complaint in fol: (5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15) & whether the Suggestions of a few, obscure, ignorant, and unwary men may be sufficient in a just Ballance to outweigh so many solemn, voluntary Declarations of, I think I may say, all the men of figure, sence, and probity in that Province, I most humbly submit to my Just and Illustrious Judges.

And now I am to descend to the particulars, & indeed if it were not for the assistance of some of M^r Cox's own party who have let me into the secret, I should never have been able from anything mentioned in that Petition to have guessed at the meaning of the accusations, being conscious to my self of no one individuall Act of mine that could give the least ground for such complaints.

I am first accused of delaying Justice, this might have been reckoned amongst the Generals, for I know not in what Instance it can be alledged, for the Courts of Justice are established in that Province as directed by my Instructions, and the Law's, I am not the Judge in any of their Courts, in matters of appeal to the Councill I have but my vote, all appeals have been readily heard as oft as they have been made, which has been but very seldom, & the Court of Chancery in that Province I think was not opened when that Complaint was signed.

In the next place they say I have dispenced with the Laws of Great Britain, I cannot understand the meaning of that unless they had condescended upon some particular fact, which they judged to be dispensing with these Law's, but am confident that no act of mine, strain it as they please, can bear any such Construction. If in any sence I can be said to have

delayed Justice, or dispensed with Law's it is in one which I have just ground to believe the Petition does not intend, that is, that after M^r Cox with others was by her late Majesty's Letters Mandatory, a copy of which you have here (fol: 44) enclosed) after full & frequent hearing at the Board of Trade, & before the Privy Councill, dismissed from her Council in the Jersey's for disturbing the publick Peace of that Province, after which he redoubled his endeavours by many little vile Artifices, and false Reports to continue that Disturbance, as appears by the address of the General Assembly herewith sent you in the Minutes of that Assembly, & the other addresses before mentioned, I say if I am guilty of any delay of Justice or seeming dispensing with Law's, it is in that only instance, that the Law's in force against Sedition, Riots, Tumults, & avowed Opposition to all Government were not so severely & speedily put in Execution as the nature of Crimes & their tendency required, but to this I have a very good and sufficient answer, when I shall be accused of it.

In the next place I am accused of turning out the Sheriff of Middlesex before his Year was out, and several Justices & Judges without any Cause assigned, as to the first I was upon my arrival in that Government addressed by the principal Freeholders & Proprietors of that Country, begging to be relieved from what they suffered under that Sheriff called Brimstone Barefoot, an ignorant, vile, mean fellow put in by M^r Sonmans's Recommendation, & a Tool of his, one of the crimes proved against him was his making a false Return of a Writ contrary to his Oath, in favour and by the Pursuasion of Sonman's or his friends, for which he was sued in one of the Courts of Justice, & cast, & before he payd the damages had absconded near two Years; which Sonman's, as I have amply informed the Lords of Trade, carryed away by Stealth all the pub-

lick Records of the Eastern Division of New Jersey, & had sent them from New York to Pensylvania with a Locket as a Chest of Goods, and it was by chance that they were discovered and seized at Burlington, for which fact he has thought fit to fly the Province, & has been some time at London as to the Judges and Justices. I after Publication of my Commission issued forth a Proclamation for continuing of men in Offices till further Orders, after that having it in my Instructions that I should use all possible Endeavours to put an end to the unhappy divisions that raged in that Province, I with the advice of the most disinterested persons either in Councill, Assembly or Commissions of Peace, issued new Commissions as has been ever practiced upon every change of a Governor, in which all imaginable caution was had that there should not be the least ground to affirm that I had then any regard to, or private Inclinations towards any one party more than another, but a certain Number of Persons, whose names were in those Commissions being let into a Secret, a fatal one, the then intended Change of the Ministry, declined serving in these Offices, believing as they have since owned, & as they then publickly gave out, that my time was to be but short amongst them, but even after that, I believe there cannot be assigned one single Instance of so few changes of that nature made upon the Change of a Governor. I know not what is meant by appointing Persons who resided out of the Province, to be Justices, unless it be Col: Morris the President of the Council, and Agent for the Proprietors, and Col: Johnson who have the most considerable Estates in the Jerseys, & their principal Residence there, tho their Occasions, or the education of their children did then require their having also habitations in New York, where the first has also a considerable Estate.

In the next, he permitted Persons to sit & act in

Council and Assembly of the said Province, without qualifying of themselves as his Commission & Instructions direct: by this I suppose is meant the Quakers, who qualify themselves by affirmation instead of an Oath, in answer to this take the very words of my Instructions from her late Majesty & also his present Majesty, whom God long preserve.

“Instruction 60th And whereas we have been further informed that in the first Settlement of the Government of our said Province, it may so happen that the number of Inhabitants fitly qualified to serve in our Council, in the Gen^l Assembly, & in other Places of trust & profit there, will be but small, it is therefore our will & Pleasure that such of the said People called Quakers as shall be found capable of any of those Places or Employments, and accordingly be elected or appointed to serve therein, may upon their taking & signing the declaration of allegiance to Us in the form us’d by the same people in this Kingdome, together with a solemn Declaration for the true discharge of their respective trusts, be admitted by you unto any of the said Places or Employments.

Next comes a terrible Stroke, He invaded the Property & injured the Freehold of your Majesties Subjects, causing their timber to be felled upon their estates, & by burning & destroying the titles of their Lands. This is indeed something to the Purpose, and were I guilty either of the one, or the other, I assure you, I would not offer at a defence, but throw myself at his Majestie’s feet for his pardon. Upon the last of the two unhappy Expeditions intended against Canada I was ordered by her late Majesty by her Instructions under her hand, & signet amongst other things to provide a sufficient number of Batteaux or flat bottomed Boats, for transporting upon the fresh lakes men, & Provisions, the number judged sufficient I think was

three hundred, these Orders came to my hands (the Vessel which carryed them having met with contrary winds) just as we had also advice, that the Fleet with the forces for that Expedition were already upon the Coast, for which I was also ordered to furnish provisions for three months, you may guess the task I had to go through on so little warning; I pressed all the Carpentars in the place (I wonder that was no part of the complaint) for the dispatch of these Batteaux, & having found Plank, the Carpentars represented, that they could not go on for want of Knees as they call them, which are little crooked Sticks not so big as my arm, & that they might be conveniently had on the desert Beach called Sandy Hooke; I ordered them to go thither, & fetch them with all possible dispatch, and if any man claimed Property in that Beach they should acquaint him that I would satisfy him to the value, which accordingly they did, I heard no more of this matter, till a Copy of a Complaint given into his Majesty by Daniel & Samuel Cox in order to stop the passing of my Patent was sent over to me, when that was made publick, the Persons who had given rise to that Complaint, the two Hartshorn's Father & Son owned that they had been the authors of that Complaint, which made me enquire into it, & take the declarations & depositions, relating to that matter as you have them fol: (30, 31, 32, 33, 34, & 35) if cutting a Number of Sticks on such an emergency on a barren Beach, where they might have indeed remained uncut to the end of the world, had it not been for this fatal Expedition, in a Country where all the value of Timber especially of that sort is in the Labour of cutting, for a publick & immediately necessary Service & for which all reasonable Satisfaction was tendered, & refused, if this I say be a crime it is most certainly one that may deserve a ready pardon, especially considering how strictly accountable I had reason to conclude

my self to be to those then in power for the least failure on my part, which might have had the smallest appearance of retarding that Expedition.

As to the burning and destroying the deeds and titles to lands, read the attestations & affirmations in foll: (36, 37, 38, 50, 51, 52, 53, 54, 55) and take the truth of the matter of fact, as follows, whilst the Assembly was sitting at Burlington the Speaker with some other Members, & other principal Freeholders in that County acquainted me, that the Indian King Charles, as they called him, was come to town to complain of a grievous abuse or trick put upon him by one Wetherhill, who having made him drunk, got him to sign a Paper, which he told him the next day was a Conveyance of that Land where these Indians lived, & had been expressly reserved for them in the original Contract, & all succeeding ones, representing at the same time the dangerous consequence of such illegall & unwarrantable practices; I was prevailed upon to send for Wetherhill, & soberly expostulated the matter with him, and its Consequences, in presence of many of both Council & Assembly; all he had to say was that the Indian was not drunk, to which the Indian replied how could I be sober when I gave that which was not mine to give; and asked him if he had ever given him the value of a Wampum in lieu of it; to which Wetherhill replied, that he had given him the greatest part of half a Barrel of Cyder, I then told Wetherhill, that such a deed of gift would be of no avails to him, being expressly against the Law which obliges every Purchaser to have a previous Lycence from the Government to purchase, & being obtained by base means of making an Indian drunk, & that it was well known that no Indian can despose of Land but the whole tribe or Canton by themselves or their Deputy, they all having an undivided right to & Property in the Land they claim, & that he would only

expose himself to a Prosecution for a fraud &c^a however he might carry the Indians with, & if he could make them easy I should be so, when this was interpreted to the Indian, he said he would never be easy, that his heart was sick, & he would never stir out of that room, till he had that deed, as it was called, again, I bid Wetherhill go home & consider of it, and to encourage him to do what he ought in Justice to do without any Encouragement I told him that when he had any just title to such a parcell of Land elsewhere I would give him a Lycence gratis, and free of all fees, & his own Brother then present offered him a track elsewhere to make him easy, upon this he went away, & some time after, I remember not how long, he returned, the Indians remaining at my home all the while; I asked him if he had brought that deed along with him, & if he was willing to give it up to the Indian, he replied yes, & accordingly with his own hand gave it up to the Indian, who after some pause tore it to peices, & gathered up every scrap, & put it into the fire, saying his heart was now whole, & he would live many Years the longer for it, & Wetherhill went away well satisfyed, the truth of this will appear by the affirmations abovementioned.

The following Accusation of passing all Laws in a style different from that in my Instructions in both Provinces, & suffering money to be disposed of contrary to my Instructions, are best answered by his Majestie's Royal Approbation of most of those Laws, particularly of that relating to the issue of money in the Jerseys which I know they complain of.

I know not what they mean by not keeping clear books of Accounts of the Revenue, there is a Treasurer or Receiver Gen^l for that purpose, he has constantly accounted, & has had all his Accounts nicely examined by both Council and Assembly, & his Accounts were sent home by M^r Nicholson, who demand-

ed them as he was impowered by a special Commission to do, and I have ordered again and again both Treasurers to send home their Accounts in Form, audited to the Treasury there is indeed some difficulty in the audit, the Deputy Auditor scrupling to audit without a Salary & unhappily there is no allowance made in either Province for that Service, however he is now resolved to audit these Accounts, without any regard to that, & I hope to transmit them soon audited in form, in the mean while if it can be made appear, that I have at any time in either Province touched one farthing but what was my due by the Laws and my Instructions, I submit to the punishment due for such transgression, which has been perhaps not without a precedent in both Provinces.

I have passed no Laws directly repugnant to the Laws of England, if I had they would not have been left to guess at.

I have erected no new Courts of Judicature, I did order the restitution of goods distrained, & the Case is thus, There had been in my Lord Cornbury's time several distresses make upon the Quakers for not serving in the Militia, which had remained in the hands of M^r Bane unsold for many Years, the Gentlemen of the Assembly, & the people concerned applied to me, I asked M^r Bane how it came about that they were not sold as the law directed, he answered that nobody would buy them, & indeed they were neither worth buying or keeping, on that I ordered him to restore them to the owners; I have a power in my Instructions of remitting fines to the value of ten pounds, these were not in value the half of that, I believe however some other Governors would have made some other use of them.

I did stop some prosecutions commenced before my time, but it was upon full proof & conviction that they were malicious and vexatious.

I have granted Patents & Charters though very few but none except such as I am amply & sufficiently empowered to grant by my letters Patents, & my Instructions: & Caveats which were entred against one of them (there were no more) were actually heard, & debated, & set aside as frivolous and vexatious.

The Writ of summons for choosing Representations for the county of Burlington is in the terms prescribed by my Instructions, or by the Law's in force for that purpose.

I did dissolve one Assembly by the advice of the Council as it stands in their minutes, & to which minutes, I refer for the causes of that dissolution, & the honor of M^r Cox & his party.

The next Assembly did meet, chose M^r Cox their Speaker, & then expelled him their house for the reasons mentioned in their votes, & their Addresses to me herewith sent you marked (Extract from the Minutes of) I have destroyed that Act of Assembly fixing the Session of Assembly to Burlington, but it is by a law repealing it, as to the dispensing with it, upon receipt of my Instructions from his present Majesty I found that I was then ordered to hold the first Session at Amboy, & the Subsequent alternately, which Instruction came in the most seasonable time possible, for it was no longer safe to meet at Burlington for the reasons I have formerly transmitted to the Lords of Trade, & which are sufficiently confirmed by M^r Talbots Letter to me fol^o 20) M^r Wilcocks's disposition fol: (21, 22, 23, & 24) M^r Lyels letters & attestations fol (26, 27, 28, 39, 40) & M^r Bradfords to the same purpose.

For granting Warrants as he calls it for apprehending & forcing Members to come to Perth Amboy, I appeal to the whole Proceedings as they stand in the Journals of both Council, & Assembly with the Lords of Trade, by which it will appear that there was noth-

ing done by me, but at the earnest desire of the Assembly its self, and what was absolutely necessary to prevent confusion, and a dissolution of the Government.

I have done what was in my power to allay animosities, & abolish divisions, & hope I have pretty near affected it, & I will answer for it, that there shall be no more noise of either if M^r Cox will Keep away, or return whilst I am upon the Spot, if he returns during my absence, or at a time when that Province has no dependance on the Commander in chief in this I cannot promise so much, I believe you understand me. I know not what he means by publishing Papers, contrary to the Laws of England, & the rights & liberties of the Subject, so cannot answer to it.

The Militia of that country is I think in very good order ever since M^r Cox & his Associates were turned out of it, it was not indeed safe in their hands who had for the last years of her Majesties Reign rung the Peal of the Churches danger, under the auspicious Influence of the Reverend Nonjuring M^r Talbot, lowder than ever it had been rung in England, and indeed their whole conduct was but an Echo to that on the other side, if there should be any doubt of this M^r Smith the Secretary of the Jerseys may be interrogated upon Oath in what manner and in what terms M^r Cox told him, long before the Pretender's landing, that he was at the head of 50,000. Men in Scotland, & M^r Flower the Postmaster of Philadelphia shall take his Oath to the following words spoke by M^r Cox upon reading the votes or resolves of the Lords, relating to the Treatise of Commerce. "By God these Whig Lords, will never be quiet till twenty of their heads are struck of. I hate the method of exculpation by recrimination, but M^r Cox as I am Informed carryed with him a testimonial of his great moderation and affection to the Protestant Succession, signed by some who are just as moderate, & as well affected that way as him-

self, which makes me judge so much at least as is here said, not unnecessary. In the mean time the Indians there, & all around are perfectly quiet, & easy, notwithstanding the repeated endeavours of these mad men to make them otherwise, the story of Wetherills deed is one minute instance.

You must carefully look over the book containing the Affidavits, Addresses &c., for there may be some papers there, relating to the same affair which I have omitted to mention, having so little time, and most of these were signed (I mean the Originals) & sent during my absence on our Frontiers, from whence I am but lately returned, I was advised to keep Originals & send over the Copies attested under the Seal of the City in the manner you have them, they being necessary upon Mr Cox's return hither, when that shall happen.

I believe you'll be at a Loss to find out a cause for such inveterate malice, & fury, without Provocation. I will help you out upon my arrival here that Party called my Lord C—s, of which Cox was the cheif, was the forwardest & warmest in their Compliments and Protestations, I believing them sincere laid hold of them as means put into my hands for healing the divisions, which tore that Province to pieces, & laboured hard in it accordingly, but to my surprise, & every bodies besides those who were in the secret, in the very first Assembly, which I held in the Jerseys I met with such avowed opposition from that party both in Council, & elsewhere, that if I had not found means to take off Mr Mompesson, & Col: Quarey from their side in some things material, no one thing could then have been done at that Session, either for the Good of the Government, or of the Countrey, but any surprise was soon at an end, for that fatal change of the Ministry (which I only apprehended from very dark hints) was noised about the country by these men before it was made, and wagers openly lay'd that I should be

superceded in a few months, as an unavoidable Consequence of that. However as I was bound in duty, & in answer to the Representation of that Gen^l Assembly, I submitted the whole conduct of these Gentlemen to her Majestie's Ministers, & the Lords of Trade, who after a full hearing advised her Majesty to dismiss them from her Council, as disturbers of the publick peace, as you will see in the Copy of her orders fol () this Blow so little expected, put him in particular into such a rage, that he has breathed nothing but revenge ever since, add to this, that he has a dispute depending with the Proprietors of the Jerseys for the greater part of the lands he possesses or claims, and judging [judging?] of me by himself, I suppose thought it not adviseable to trust a Decision to one whom he had so much provoked, but if I know myself he was in no danger if he has Justice on his side, & to cure him of these suspicions, I have constantly advised the contending parties to bring that Suit to an issue, feigned, or real, that it may be carryed before the King in Council, but in reality, no Government would Serve his turn that was not intirely tractable to his Interest's right or wrong as I believe it sometimes has been.

Upon the whole matter if upon representing to the Lords of his Majesties Council what I have I think so plainly made out, (and much more of the same kind shall be transmitted if necessary) their Lordships are perswaded as I cannot doubt but they will be, that the accusations are false, and infamous; I humbly submit it whither it may not be necessary for the Peace of that Province, that there be a publick declaration of their Lord^{sh}s Opinion, for on the other hand, if I thought myself guilty I pronounce my self deserving of the most publick and exemplary punishment. I am sincerely

Sir Your very humble Serv^t

ROBERT HUNTER.

New York July 27th 1717.

*Letter from Governor Hunter to the Secretary of the
Lords of Trade—recommending three Councillors
to fill vacancies.*

[From P. R. O. B. T., New Jersey, Vol. II, D. 18-19 2.]

N. York y^e 13 Aug: 1717

Dear Sir

This Serves only to cover the Naval Officers Accounts here which I beg you'll present to their Lo^{ships}, as also acquaint them that M^r Huddy and M^r Parker¹ two of the Council of the Jerseys are Lately dead and M^r Byerley is little better and M^r Deacon through Age Unable to Attend. If their Lo^{ships} please to recommend to his Ma^{ty} Peter Fretwell and John Wells In y^e western Division and John Read In the Western [Eastern?] for Councillors I think them duely qualify'd every way. Pray try to put them all Into one Letter for I am put to all that charge in that Province.

I have some hopes of y^e pleasure of Embraceing you next Spring and not 'till then but I am Very Sincerely

D^r S^r

Your most hearty and most obliged humble Servant

RO: HUNTER.

¹ ELISHA PARKER removed from Staten Island to Woodbridge about 1675. In 1694 he was appointed High Sheriff of the County of Middlesex. In 1707 he was chosen to represent the county in the Provincial Assembly, and continued a member for two years. In 1711 he was appointed a member of Governor Hunter's Council. He died, as stated in the above letter, June 30th, 1717, and his memory is associated with the characteristics—as enumerated by his contemporaries—of a good father, a kind master and a sincere Christian. Mr. Parker was married and had several children, from one of whom, John, a son of his second wife, Hannah Rolfe, descended the Parker family of Perth Amboy, for many years one of the leading families of New Jersey.—See Contributions to the History of Perth Amboy, p. 128. Ed.

Letter from J. Addison, Secretary of State, to the Lords of Trade—notifying them that the King is satisfied with the conduct of Governor Hunter.

[From P. R. O. B. T. New Jersey, Vol. II, D 18.]

L^r from M^r Sec^y Addison, Signifying his Ma^{ty}s
 Approbation of y^e Conduct of Brigad^r Hunter
 Gov^r of N. York & New Jersey.

Whitehall 22^d August 1717

My Lords

I have laid before his Maj^{ty} your Lo^{ps}'s Letter of the 3^d of July last, relating to some ill practices made use of to keep up Divisions, and foment Disorders in New Jersey, together with the Extract of a Letter from Brigadier Hunter the Governor thereof, complaining of malicious Reports raised against him, and am commanded to acquaint your Lo^{ps} that his Maj^{ty} is very well satisfied with the Conduct of the said Governor, which you will please to signify in such a manner, as you shall think the most likely to silence such Reports, and defeat such Practices for the future.

I am My Lords Your Lordships
 most Obedient and most Humble Servant

J. ADDISON

R^t Hon^{ble} Lords Comm^{rs} of Trade.

*Letter from the Lords of Trade to Governor Hunter—
 informing him of the King's approvat of his conduct.*

[From P. R. O. B. T. New Jersey, Vol. XIII, p. 337.]

To Brigadier Hunter

Sir

Having seen what you writ to our Secretary in your Letter of the 13th May last, relating to the ill practices

made use of to keep up Divisions, & foment Disorders in New Jersey, and to the Report spread of your being to be removed from the Government of that Province. We immediately transmitted the same to M^r Sec^y Addison to be laid before His Majesty. Whereupon his Majesty has been pleased to command Us (as you will perceive by the inclosed Copy of a Letter from M^r Secretary Addison) to signify to you that he is very well pleased with your Conduct, to which we may add that the Reports of your removal are malicious and groundless. This you may make known in such manner as you shall think the most likely to silence such Reports and defeat such Practices for the future, And you may be assured that we shall do all that in Us lies to discourage the same as Opportunity shall offer. So we bid you heartily farewell and are

Your very loving Friends and humble Servants

Whitehal Sep^r 14th 1717,

SUFFOLK,

CHAR COOKE,

D. PULTENEY,

MARTIN BLADEN.

[On February 2d, 1718, Mr. Philips, the Agent for New York, transmitted to the Lords of Trade an affidavit of John Drummy relating to letters written by Mr. Coxe and others against Governor Hunter, and copies of letters from Mr. Coxe and Henry Joyce to correspondents in New Jersey, detailing the views of the King and prominent individuals adverse to the Governor, which the two preceding documents effectually refute, and it is therefore thought to be unnecessary to print them here.—Ed.]

*Report of the Attorney General and Solicitor General
—on the effect of the Proclamation for pardoning
Pirates.*

[From P. R. O. B. T. Plantations General, No. 7, K. 113.]

To the R^t Hon^{ble} the Lords Commissioners for
Trade and Plantations

May it Please your Lordships

In Obedience to your Lordship's Com^{ds} signified to Us by M^r Popple Wee have considered of the annexed Queries proposed to Us by Your Lordships And as to the ffirst Query Whether the Proclamation is a full and sufficient Pardon to any persons who may have Com^{itted} Pyracies & Robberies upon the High Seas in America within the time therein mentioned, or if not, What Steps must be taken to obtain it of the Govern^{rs} of America.

Wee are of Opinion that the Proclamation does not contain a pardon of piracy but only his Majesties' gracious promise to Grant pyrates such pardon on the Terms mentioned in the proclamation, On which every Subject may safely rely, But that it will be reasonable for his Maj^{ty} to give Instructions to his Govern^{rs} in America to Grant the persons Surrendring themselves according to the Terms of such proclamation his Majesty's most gracious pardon for pyracies & Robberies on the High Seas.

As to the 2nd Query WHETHER by this proclamation murthers comitted by such pirates are pardoned?

Wee are of Opinion that where the Murther is Com^{itted} in the piracy, it was his Ma^{tie}'s intention to pardon the Murther So Com^{itted}, and that therefore it may be reasonable in the Instructions to his

Majesty's Govern^{rs} to direct them to insert in the pardons by them to be passed of the piracies and Robberies Com'itted on the High Seas a pardon of all murthurs com'itted in the same.

As to the 3^d Query WHETHER the persons who have com'itted any Robberies or pyracies or any other by that title can hold the moneys and effects they may be so possessed of and not be liable to be prosecuted for them

Wee are of Opinion that as to the proper Goods of the Pyrates, they being pardoned, the same will not be forfeited, but they may retain them to their own Use. But as to the Goods of other persons which they have taken unlawfully from them, the property thereof by such taking is not altered, but the Owners, Notwithstanding any pardon, may retake them, or they may recover the Same by an Action to be brought ag^t the Robbers for the Same.

And as to the 4th Quer: WHETHER if any persons having Notice of this Proclamation should between such Notice and the fifth day of January next com'it any pyracies or Robberies, are entituled to the Benefit of it.

Wee are of Opinion that there is no Exception of any Notice in the proclamation and his Majesty has been pleased to give his Royal promise, which he will never break, to pardon pirates Surrendring themselves All pyracies com'itted or to be com'itted before the said fifth day of January, And for p^rventing the mischiefs hinted at in this Query, his Majesty's Officers are to be diligent in app^rhending All pyrates, ffor his Majesty has not been pleased to promise pardon to any pyrates but such as surrender voluntarily according to the terms of the proclamation.

EDW. NORTHEY

W^m THOMSON

14th November 1717

*Order of Council appointing three New Jersey Coun-
cillors.*

[From P. R. O B. T., New Jersey, Vol. II, D 74.]

An order of Council upon a Repⁿ of y^e 21st of
Nov^r 1717, for appointing 3 New Counsel-
lers for y^e Province of New Jersey

AT THE COURT AT S^r JAMES'S
the 27th Novemb^r 1717

Present

THE KINGS MOST EXCELL^t MAJESTY IN COUNCIL.

Upon reading this day at the Board a Representation from the Lords Commissioners of Trade and Plantations dated the 21th Instant. Setting forth that there being Three Vacancys in the Council of New Jersey by the Death of Hugh Huddy and Elisha Parker Esq^{rs} and by the Great Age & Infirmary of George Deacon Esq^r And humbly Recommending John Parker Peter Fretwell and John Wells Esq^{rs} to Succeed the said Persons being every way fully Qualified to Serve His Majesty in that Station. His Majesty in Council Approving thereof. Is pleas'd to Order as it is hereby Ordered That the said John Parker. Peter Fretwell. and John Wells Esq^{rs} be Constituted and appointed members of the said Council to Supply the said Vacancys; And the Right Hon^{ble} Joseph Addison Esq^r His Majesty's Principal Secretary of State is to prepare a Warrant or Warrants for His Majesty's Royal Signature Constituting and appointing the aforesaid Persons Members of His Council in the said Province of New Jersey And requiring the Governor or Command^r in Chief of the said Province to Swear and Admit them of His Majesty's said Council accordingly.

A true Copy.

EDWARD SOUTHWELL.

*Warrant to Governor Hunter for using a new seal for
New Jersey.*

[From P. R. O. B. T., New Jersey, Vol. XIII. p. 338.]

Draught of a Warrant for his Maj^{ty's} Signature
to the Governor of New Jersey for using
the new Seal.

To Our Trusty and Wellbeloved Robert Hunter
Esq^r our Cap^t General and Governor in
cheif of our Province of New Jersey &
the Territories depending thereon in Amer-
ica, and to the Commander in Cheif of the
said Province for the time being.

Greeting

Herewith you will receive a Seal appointed by Us
for the Use of our Province of New Jersey and the
Territories depending thereon in America, the same
being engraven with our Arms, Garter, Supporters,
Motto and Crown, with this Inscription round the
same, Sig: *Provinciæ nostræ de Norâ Cæsarei in*
America, which said Seal we do hereby authorize and
direct to be used in the sealing all Patents and Grants of
Lands and all publick Instruments which shall be
made and passed in our Name and for our Service
within our said Province, And that it be to all intents
and purposes of the same force and Validity as any
former Seal within our said Province hath been here-
tofore. And we further Will and require you upon
the receipt of the said Seal to cause the former Seal to
be broke before you in Council, and then to transmit
the said former Seal so broken to our Comm^{rs} for
Trade and Plantations to be laid before Us in Council

as usual. Given at our Court at Hampton Court the 8th Day of October 1717. In the fourth Year of our Reign.

Letter from Governor Hunter to Secretary Popple of the Lords of Trade—relative to vacancies in the Council of New Jersey.

From P. R. O. B. T. New Jersey, Vol. II, D. 71.]

N. York y^e 16 Nov^r 1717

D^r S^r

[Extract.]

I have wrote Several times for Councillors for the Jerseys, there are two more Lately dead viz: Elisha Parker and John Reading In the room of the former I beg leave to recommend his son John Parker¹ a very Sober Sensible Young man and of a Considerable estate In the room of y^e Later Peter Fretwell² a man of very good Abilitys and Estate though a sort of a Quaker.



son of Elisha Parker, was born November 11th, 1694. He married September 16th, 1721, Janet, daughter of Dr. John Johnstone, whom we have seen occupying a prominent position in New Jersey. Although residing permanently in Perth Amboy, the stone part of the old well known Parker mansion having been built by him—he was engaged in business in New York as a merchant from 1726 to 1728. He continued a member of the council, under the administrations of Governors Hunter and Burnet, until 1741. Their children were Elisha, James, Mary, John, and Lewis Johnstone. See Whitehead's Contributions to the History of Perth Amboy, p. 130.—Ed.

²



was one of the passengers in the Shield that arrived from Hull in December, 1678. They landed at Burlington, going ashore on the ice which had suddenly formed in the night sufficiently thick to bear them. He is spoken of in the text as a "sort of Quaker." but he appears to have been identified with the Friends throughout, and to have been highly respected by them.—Ed.

If I am under a necessity of holding an Assembly in y^e Jerseys This Winter I must make use of y^e power given me by my Patent and Instructions For all y^e Councilors now alive are these

Lewis Morris, Living in York George Deacon, Superannuated Thomas Gordon aged & Infirm John Anderson Th: Byerley In York & paralitica^l John Hamilton Post M^r Gen^l David Lyal remov'd to York

I have formerly & beg again to recommend for y^e Eastern division

John Read John Parker Adam Hudd

for y^e Western

Peter Fretwell Joshua Wells

Yours

RO: HUNTER

*Representation from the Lords of Trade to the King—
recommending the approval of the New Jersey Act
allowing Quakers to affirm.*

[From P. R. O. B. T. New Jersey, Vol. XIII, p. 426.]

To the Kings most Exc^t Maj^{ty}

May it please Your Majesty.

Having had under Consideration An Act passed in your Majesties Province of New Jersey the 11th March 1713, Entituled An Act that the solemn Affirmation and Declaration of the People called Quakers shall be taken instead of an Oath in the usual form & for qualifying & enabling the said People to serve as Jurors & to execute any Office or Place of Trust and Profit within this Province; & having had the opinion of your Majesties Sollicitor Gen^l thereupon, We humbly

take leave to represent to your Majesty, that tho this Act gives the Quakers greater Indulgence, than is allowed them in this Kingdom, yet as your Maj^{ties} Governor, and other Persons concerned in the Affairs of that Province have represented to Us that this Act is absolutely necessary for the strengthening the hands of the Government there. We have no Objection why your Majesty may not be graciously pleased to confirm the s^d Act.¹

Which is most humbly submitted

CHA: COOKE
P. DOEMINIQUE
J. MOLESWORTH.
THO: PELHAM
D. PULTENEY
M. BLADEN.

Whitehall

Jan^{ry} 27th 1717-8

*Letter from the Lords of Trade to Governor Hunter
—informing him of the action taken upon his va-
rious communications.*

[From P. R. O. B. T. New Jersey, Vol. XIII, D 428]

To Brigadier Hunter.

Sir

We have now before us your Letters of the 30th of April, 6th of June, 2^d of October 1716 13th of February 1716-7 and 8th of April 1717 to Us and have seen

¹ The Solicitor General said in his report, bearing date December 19th, 1717. "The Act * * * goes further than is allowed to them in England they cannot be Witnesses or have concern in criminal causes, or have Offices, etc. But whether the necessity in that Country may not require a greater indulgence to them their L^{ds} best know."—Ed.

those you have writ to our Secretary of the 1st and 29th of May, 8th of June 1716, 27th of May & 28th of September 1717.

We take notice in the first Place of the Difficulties you have laboured under in relation to the Place of sitting of the Assembly of New Jersey, but that Difficulty will soon be removed since we have laid the Act to repeal a former Act, Intituled an Act for the ascertaining the Place of the sitting of the Representatives to meet in Gen^l Assembly, before his Majesty for his Royal Approbation.

We hope you will meet with no more Difficulties upon Account of M^r Cox, & his Friends after the Receipt of our Letter to you of the 4th of September last, which we writ you by his Majesties Commands, a Duplicate whereof is here inclosed.

We are very well pleased to see you have put the Affairs of the Jerseys on so good a foot as you mention in your Letter of the 13th February last.

You need not be apprehensive of any Attempts of your Adversaries against you, since you will always have an Opportunity of justifying your Conduct before you are condemned.

M^r Philips has laid before us what you write in Answer to the Paper called the humble Petition of several Traders, Inhabitants & Proprietors of New Jersey which is very satisfactory, & we hope you'll be able fully to vindicate yourself from what M^r Mulford has charged you with, an Account of which our Secretary sent you by our order the 19th of September 1717.

According to your desire we have recommended John Parker, Peter Fretwell, & John Wells, to be Member of the Council of New Jersey, & his Majesty has been please to appoint them accordingly, but as there are no Persons here authorised either on behalf of the Province, or of the Persons to be appointed Councillors to pay the fees in the several Offices, there

may be some delay in getting the Orders and Warrants dispatched which we observe to you that Care may be taken in this particular for the future.

Whereas it is necessary for Us in considering the general state of the Trade of this Kingdome to have Accounts of the Trades of each particular Country & as we have Accounts of what Goods are sent from hence to the Maderas & Western Islands, so it is necessary we should be informed of what returns are made from thence; but as the Main of the Exports from those Islands is to the Plantations in America, We can get here no Accounts of them. And the Naval Officers do sometimes give Accounts of the Entry's of Ships inwards, yet it is in such a confused manner (expressing the Quantities of Goods in some Ships and oftener omitting it) that it is scarce practicable to form a true state of that Trade. We desire you therefore to give immediate Directions to the proper Officer to make out an Account of the Imports from the Maderas & Western Islands for three Years last past, & to send Us the same by the first Opportunity, & for the future we desire you to take Care to give Us annual Accounts of the said Imports.

We send you here inclosed the Copy of a Memorial lately laid before us concerning the Progress the french have made in finding out and securing a Passage from St^e Lawrence or Canada River to their own Settlement called Louisiana and down the River Mississippi in the Bay of Mexico; Whereupon we must desire you to inform yourself as particularly as you can of the facts therein mentioned, & to acquaint us therewith as soon as possible & give us your Sentiments what Methods may be most proper to be taken for preventing the Inconveniences to which his Majesties Plantations on the Continent of America, & the Trade of this Kingdome may be subject by such a Communication between the french Settlements.

We have laid the New Jersey Act about Quakers before his Majesty for his Royal Approbation. So we bid you heartily farewell, and are

Your very loving Friends and humble Servants

J. CHETWYND,
CHA: COOKE,
P. DOEMINIQUE
THO: PELHAM.
J PULTENEY.
M BLADEN.

Whitehall
Febr'y 3^d 1717-18

P S Since what is above we have considered your Desire that the Acts passed by Col: Ingoldsby may be repealed and the reason you alledge for it is because he passed them without Authority. We find indeed that his Commission as Lieu^t Governor of New York was revoked but we do not find that his Commissⁿ as Lieu^t Gov^t of New Jersey was revok'd at the same time, You must therefore explain particularly to Us, what grounds you had for saying Col: Ingoldsby had no Authority to pass those Acts, We desire likewise to know what Objections, you have against such of the Acts themselves as are not expired

We have received from M^r Philips an Affidavit to the Truth of the Copies of two Letters writ by D. C. & Henry Joyce, which we have transmitted to M^r Secre-Addison to apprise him of the Endeavours of your Enemy's to disturb you in your Government¹ There shall be nothing wanting on our parts to discountenance any such Attempts against you. [Signed as above]

¹ See page 323.

*Representation from the Lords of Trade to the King --
with the names of Commissioners for trying
Pirates in America.*

[From P. R. O. B. T. Plantations General, No. XXXIV, Ent: Book E, p. 161.]

To the King's most Excell^t Maj^{ty}

May it Please Your Majesty.

In obedience to an Order of the 30th of last month, for issuing of Commissions for the Tryal of Pirates in your Majesty's Plantations in America, in the like manner as those which were issued by His late Majesty King William in the Year 1700, We humbly offer to your Majesty the Names of Commissioners for the said Plantations, with our humble Opinion which of those Plantations may be fitly comprehended within each Commission Viz^t

[Here follow the names of the Commissioners for Jamaica, &c., &c.]

Commissioners for New York East & West New Jersey, Pennsylvania and Connecticut.

Robert Hunter Esq^r your Maj^{ty}'s Captain General & Governor in Chief in and over Your Majesty's Provinces of New York and New Jersey, & the Territorys depending thereon in America, or the Governor and Com^dander in Chief of the said Provinces for the time being.

William Penn Esq^r Proprietor and Governor of your Majestys Province of Pennsylvania or the Proprietor and Governor or Commander in Chief of Pennsylvania for the time being.

The Governor of your Majesty's Colony of Connecticut for the time being.

The Vice Admiral or Vice Admirals of the Provinces

of New York East & West New Jersey, Pennsylvania & the Colony of Connecticut for the time being.

Peter Schuyler, Rob^t Walters Gerardus Beckman, Rip Van Dam, Caleb Heathcoat, Killian Van Ranslaer John Barbarie, Adolphus Philips, Abraham De Peyster, David Provost and George Clerk Esq^{rs} Members of your Majesty's Council in the Province of New York during their being of your Majesty's said Council; And the Members of your Maj^{ty's} Council in the said Province for the time being.

Lewis Morris, Thomas Gordon, John Anderson, W^m Morris, John Hamilton Thomas Byerly David Lyol, John Parker Peter Fretwell, and John Wells Esq^{rs} Members of your Majesty's Council in the Province of East & West New Jersey, during their being of your Majesty's said Council, And the Members of your Majesty's Council in the s^d Province for the time being.

The Chief Justice in the Province of New York for the time being.

The Chief Justice in the Province of New Jersey for the time being.

The Judge or Judges of the Vice Admiralty in the Provinces of New York, New Jersey, Pennsylvania & Colony of Connecticut for the time being.

The Captains & Commanders of your Majesty's Ships of War within the Admiralty Jurisdiction of the Provinces of New York, New Jersey, Pennsylvania and y^e Colony of Connecticut for the time being.

The Secretary of the Province of New York for the time being.

The Receiver General of your Majesty's Revenue in the Province of New York for the time being.

The Surveyors General of your Majesty's Customs in America for the time being.

The Collectors of your Maj^{ty's} Plantation Dutys in the Provinces of New York, New Jersey & Pennsylvania & the Colony of Connecticut pursuant to an Act passd

in the 25th Year of King Charles the 2^d for the better regulating the Plantation Trade for the time being.

[Feb^y 10th 1717-18]

[Under date of July 4th, 1718, the Lords of Trade, in a letter to Mr. Secretary Craggs, gave directions that the Governors of the several Islands and Colonies, authorized to try the Pirates, should also have authority to pardon those who might surrender in accordance with the King's proclamation.]

*Order of Council referring to the Lords of Trade a
Petition against allowing the Quakers to affirm.*

[From P. R. O. B. T. New Jersey, Vol. II. D 79.]

* {
L. S.
* }

AT THE COURT AT S^T JAMES'S
the 16th of March 1717-18
PRESENT

THE KING'S MOST EXCELLENT MAJESTY IN COUNCIL—

Upon reading this day at the Board the humble Petition of the Several Inhabitants and Traders of His Majesty's Province of New Jersey in America, Whose Names are thereto Subscribed, in behalf of themselves and many others relating to an Act passed in that Province and lately Confirmed by His majesty allowing the Affirmation and Declaration of the People called Quakers to be accepted instead of an Oath in the Usual Form, and for Qualifying and enabling them to serve as Jurors & to Execute any Office or place of Trust and Proffitt within the said Province; and praying that before the Order of Council Confirming the said act be Issued, they may be heard as to what they have to Offer against the same: It is Ordered by His Majesty in Council That the said Petition (a Copy whereof is hereunto annexed) Be, and it is hereby

Referred to the Lord Commissioners of Trade and Plantations to Examine the Petitioners Allegations and Report their Opinion thereupon to His Majesty at this Board.

EDWARD SOUTHWELL

TO THE KINGS MOST EXCELLENT MAJESTY IN
COUNCILL—

The humble Petition of the Several Inhabitants
of and Traders to Yo^r Majestys Province of
New Jersey in America whose Names are
hereunto Subscribed, in behalfe of them-
selves & many others Yo^r Majestys Opprest
Subjects of that province—

Sheweth

That by the ancient Statute Law of this Realm to Witt the 14th Chapter of Magna Charta no Man is to be amerced but by the Oath of honest and Lawfull Men.

That by an Act of Parliament of the 7th and 8th of His late Maj^{ty} King William of Glorious Memory, the the Affirmation and Declaration of the People called Quakers was to be accepted instead of an Oath but with and express proviso That no Quaker or reputed Quaker, should by Vertue of that Act be Qualified or permitted to give Evidence in any Criminal Causes or Serve on any Jurys or bear any Office or place of profit in the Governm^t

That the last mentioned Act being only Temporary the same was by another of the 13th & 14th of his said

late Majesty revived and continued in force for a further time, and the same hath also by an Act of Parliament passed in the first Year of Yo^r Majesty's Reign been revived and further Continued with a particular Clause to extend the same to the Plantations for five Years & to the End of the next Sessions of Parliament.

That Robert Hunter Esq^r was appointed Govern^r of New York and new Jersey by Her late Majesty & hath been Continued in the said Govern^t by Yo^r Majesty.

That in the Commissions and Instructions which the said Govern^r Hunter rec^d. As well from Yo^r Majesty as the s^d late Queen, The said Govern^r is required in the passing Acts of Assembly there, that the same be not repugnant but as near as may be agreeable to the Laws and Statutes of this Realm

That the said Govern^r Hunter in the Year 1713 did pass an Act of Assembly in New Jersey That the Solemn Affirmation and Declaration of the People called Quakers shall be accepted instead of an Oath in the Usual form and for Qualifying and enabling the said people to serve as Jurors & to execute any Office or place of Trust or proofitt within the said province of New Jersey.

That Yo^r Petition^{rs} are advised the said Act is directly repugnant to the Laws and Statutes of this Realm & the Rights and Libertys of the Subject and also contrary to the s^d Govern^{rs} Commissions & Instructions and tend to the great Damage & prejudice of Yo^r Petition^{rs}

That the said Act of Assembly of New Jersey being lately sent up to Yo^r Maj^{ty} by the Lords Commiss^{rs} of Trade without first hearing what Yo^r Petition^{rs} or any other persons concerned in the Consequences thereof had to Object ag^t the same, Such Act rec^d Yo^r Majestys Approbation of Course On the 13th of this

Instant February but Yo^r Maj^{ty}s said approbation under the Seal of Yo^r Privy Councill is not yet Issued.

That Several of the Inhabitants Traders and propriet^{rs} of New Jersey had some time since by Petition to Yo^r Majesty in Council humbly Complained of the Arbitrary & Illegall proceedings of the said Govern^r Hunter (& amongst others) of the passing Acts of Assembly directly repugn^t to the Laws of England & which his Commissions & Instructions directly forbade, of which the Act before mentioned is One Instance, which Petition was referred to a Committee of Yo^r Majestys Privy Councill & now depends there. So that while they were Seeking relief against and Complaining of the said Act That same has been of another Channell laid befor Yo^r Maj^{ty} for Yo^r Approbation exparte, without the knowledge of Yo^r Petition^{rs} or of any of the said Inhabitants Traders or Proprietors who had before petitioned Yo^r Sacred Majesty Complaining of the said Act—

Now forasmuch as Yo^r Majesty has usually indulged Yo^r Subjects with hearings in Cases of the like Nature.

Your Petition^{rs} most humbly beseech Yo^r Majesty to Ord^r the Issuing Yo^r said Royal approbation of the said New Jersey act to be stayd until the Laws be Considrd and Yo^r Petition^{rs} heard by their Council before Yo^r Majesty, Or a Committee of Yo^r Privy Council, and that on such hearing the said act may be disallowed Or Yo^r Petition^{rs} may have such other relief as thereon to Yo^r Majesty's great Wisdom & Justice shall seem meet.

And Yo^r Petition^{rs} as in duty bound shall ever pray &c^a

Chris: Billoppe
Sam^l: Mulford
Cha: Huddy
Sam^l: Bustill
Tho^s: Clarke
Peter Humbly

J Barkstead
Charles Lodwick
Jo Lloyd
Joseph Lowe
Joseph Paice
Moses Levy

[On a separate piece of paper—loose.]

Chris^t Billop—————of Staten Isl^d
 Mulford—————Long Island
 Huddy—————his father was of y^e Jerseys
 but is dead he was L^t in y^e
 Company at N. Y. but lives
 here
 Tho: Clarke—————He was here very lately, a
 very young Lad
 Peter Humbly—————a Hatter who lives here
 J Barkstead—————
 Charles Lodwick—————A Factor here for Some N.
 York Merch^{ts}
 Jn^o Lloyd—————Long Isl^d
 Joseph Lowe—————
 Joseph Paice—————
 Moses Levy—————a Jew here

[The Lords of Trade, in answer to the foregoing, under date of June 18th, 1718, refer the Council to their decision made January 27th, 1718 (see page 334), which had been approved of by the King. They see no reason for changing their opinion.]

Scheme or Treatise relating to the Plantations—referred to the Lords of Trade by Mr. Secretary Stanhope, February, 1715.

[From P. R. O. B. T. Plantations General, No. 7, K. 39]

OF THE AMERICAN PLANTATIONS

The Brittish Plantations in America were but thin of people till the persecution of Dissenters in the Reign

of King Charles the first, by which, and the Civil Wars, great numbers were forced to settle there.

When the Plantations had but few Inhabitants, Justice in Criminal Cases was administred by Marshal Law, and cases Civil in a sum'ary way.

On the increase of people and propriety amongst them, it was found necessary to establish a better method for their Government and the Administration of Justice. To this end power was given by Letters Patents to divide each Collony into districts, with Liberty to the Inhabitants to elect Members to represent them in a General Assembly (in the nature of a house of Commons) to consent to the passing of Laws, and the raising of mony for the publick uses. And a Council of the Inhabitants was likewise appointed to Assist the Governour, (the number of which was usually twelve) and all Laws were to pass by the Concurrence of the Majoritys of the said Council and Assembly, with the consent of the Governor. They had power likewise to erect such and so many Courts of Justice amongst them as they thought fit. Pursuant to such powers many and different Courts were established in the several Collonys. Which being erected by Persons not knowing the methods of administring Justice, and filled with Judges made of the Merchants Planters and others in Trade and Com'erce, and not learned in the Law, Justice could not be so well administred by such persons, as if they had bin more knowing, and less interested. And such persons only are hitherto made Judges in the Plantations.

Courts thus erected and filled with such persons, tho at first it might be necessary, has in process of time produced many gross errors, partialitys and delays in the administration of Justice.

Many Persons have withdrawn themselves their Estates, and great Stocks out of the plantation Trade, to prevent the wrongs which they or their Posteritys

might suffer for want of Justice. Which Stocks if continued would have much encreased, if not doubled the plantation Trade.

During the Reign of King Charles the second Little was done to amend the administration of Justice in the Plantations, or for the improvement and encrease of them, except some Acts of Parliament then passed to retain the benefit of them from forreign Nations.

In the Reign of King William of Glorious Memory, a Council for Trade and plantations was erected with very good power and instructions which if they had bin well executed might have produced much good.

ADVANTAGE BY THE PLANTATION TRADE

It appears by the Inspector Generals Abstract that the Importations from the Plantations have bin one Year with another about a Million Sterling P Ann^m. And the exportations from England to y^e Plantations about Seven or Eight hundred thousand pounds.

The said Abstract shews that in the Year beginning at Christmass 1700. (about which time the Council of Trade was erected) the imports from the Plantations were 1,226,701. And the exports to them 682,414. making together 1,999,115.

S^r Josiah Child in his printed book of Trade affirms that the Plantations imploy two thirds of our Shipping, and did thereby, and by takeing off our manufactures give sustenance to near two hundred thousand persons in England.

THE PLANTATIONS SEVERALLY CONSIDERED

In order to the better Government and improvement of the Plantations, it is necessary to consider which of them are of greatest advantage and which of the least, or rather which are disadvantageous to Britain.

By the Inspector Generalls account the importations

from the several plantations in the said Year 1700.
Stood thus.

	£	s	d
Imported from { Antigo-----	87,773	11	2
Barbados-----	356,024	6	0 $\frac{1}{4}$
Bermudos-----	1,232	6	8
Carolina-----	14,058	14	6
Jamaica-----	239,758	18	9 $\frac{1}{4}$
Montserat-----	42,343	4	6 $\frac{1}{4}$
Nevis and St. Christophers {-----	88,345	12	9
New England-----	41,486	9	9
New Providence-----	3,704	19	1 $\frac{1}{2}$
New Yorke-----	27,567	10	0 $\frac{1}{2}$
Pensilvania-----	4,608	8	6 $\frac{3}{4}$
Virginia and Mary Land {-----	317,302	12	11 $\frac{1}{4}$
Total-----	1,224,206	18	1 $\frac{1}{2}$

By which it appears that our Sugar and Tobacco Collonys are of greatest Advantage, and deserve most regard.

All our Sugar Collonys are Islands, and produce few things that England does, for which reason, and because they want manufactures, they are incapable of Subsisting by themselves; and being under a necessity of being supplied from abroad, it is much the interest of Brittain to have it done from thence.

Virginia and Maryland are the Tobacco Collonys, their Trade being under some discouragements of late, they plant less Tobacco, and more provisions, and are improving in some manufactures.

They may be capable in time of subsisting without any Supply from Brittain.

Our other Collonys on the Continent of America are Carolina, Pensilvania, the Jerseys, New York, and New England. These vast tracts of Land, and several of them, especially New England are much more populous then the other more advantagious Collonys.

They produce most of the same things that England does and are capable of subsisting without any dependence on it.

They supply our Sugar Collonys with provisions and some Manufactures, which England formerly had the advantage of furnishing them. In return for which goods they carry back Sugar and other produce of the Sugar Collonys, which is consumed in the said Plantations on the Continent; and thereby the benefit that such Sugar and other goods would bring us by their importation and exportation again in forreign Trade is likewise lost.

OF THE PLANTATION COURTS.

It has bin observed in what manner the Courts of Justice were erected, and what sort of persons were made Judges in them.

The Laws and establishments of the Courts being different in the several Collonys, a particular and distinct account of each of them, would be too long to insert here. Here follows the state of one of them in one of the Collonys, by which and some observations thereon the Condition of the rest may be conjectured.

In one of these Islands (not so large as some Countys in England) there are usually about one hundred and fifty Justices of the Peace. Nine Courts of Justice for Civil Affairs, besides the petty Sessions of the Justices, and the Court of Grand Sessions held two several times in the Year for Criminall matters, or Pleas of the Crown.

In the Civil Courts there are forty-four Judges, or Justices, not one of which learned in the Law.

The Court of Grand Session is held by the Governor, Council, and the Judges and all the Justices of the peace, if they think fit to sitt there, but there are seldom above 60 or 70 of them at one time on the Bench.

Thus most of the Chief persons being Judges or other Magistrates, there are few of note left to do Justice upon, and if they should do it against each other it might be retaliated upon them, and few persons can be prosecuted who are not dependant upon, or of Kindred to some of these persons.

Such Courts produce (as might well be expected) many gross errors, and great partialitys, especially in the most considerable Cases. Persons wrongfully possessed of Estates belonging to others, persons indebted and Merchants and factors trusted with the Estates, and consignments of others, and not willing to account fairly and pay their Creditors, have by the favour of Governors bin put in these Judicial places, by which they engage the com'on interest in their defence and protection. And this together with the difficulty in recovering debts, is the cheif reason that the British Merchants are worse used by their factors in America then in any other part of the world, which they proverbially attribute to the effect of the Climate, being ignorant of the true Cause.

It is the interest of those who inhabit the Plantations to break (if they can) the Laws by which they are restrained from Trading with any Nation but Brittain, and they do frequently break them, to our great prejudice, are safe in so doing, being both partys and Judges.

In the said Grand Court for tryal of Crimes; Murders, Fellonys, and other great crimes frequently escape punishment, when at the same time words of the least disrespect to the Governor, or other principal person's in the Island are severely punished. One person for some disrespectfull words of the Governor was fined two thousand pounds, and laid in Prison till he paid it. And another for disrespectfull words to one of the Council, was striped naked and whipped at a Carts tail through the chief Town, although he was

then in a sad condition, one of his Armes, and Legs being bound up in Splinters, which he had broken a few days before. This person had born the late Queens Commission as a Lieutenant in the Militia of that Island, and had a sufficient Estate to have paid any reasonable Fine, and although he did offer and earnestly pray the Court to inflict imprisonment, and any Fine whatsoever on him, rather than such an ignominious punishment, yet he could not prevail.

Sometimes the said Justices quarrel with each other on the Bench in a most scandalous manner, and at one Court they shoved and justled the chief Justice, and laid their hands on their Swords on the Bench, and were going to draw on each other, if a Company of the guards had not immediately rushed into Court with Muskets charged and presented, with whose Assistance one part of the Justices sent the others to prison.

This transaction and the whipping of the aforesaid person, were complained of in England, and fully proved, and have lain before the Board of Trade for about six Years to no purpose.

It is usual with people in the plantations to engage in Suites at Law tho' they are advised against it, they know the ignorance of their Courts, and say they will try their luck for they have friends on the Bench. This is so great an encouragement to litigiousness that there have bin above nine hundred Causes in one Year depending in the aforesaid small Island. To the great prejudice of Trade, and Neglect of their Plantations.

OF PLANTATION GOVERNORS.

Governments have bin sometimes given as a reward for Services done to the Crown, and with design that such persons should thereby make their Fortunes. But they are generally obtained by the favour of great Men to some of their Dependants, or Relations, and

they have bin sometimes given to persons who were obliged to divide the profit of them with those by whose means they were procured. The Qualifications of such persons for Government being seldom considered.

The Governor is by his Commission made Captain General, Chancellor, Chief Justice, and Admiral, which are great and different powers, and can never be justly executed by one person, unless he have some reasonable knowledge of the matters in which he is to exercise such powers. This is seldom to be found in one man, and never was so in any of the said Governors. So that if a Governor should be a good man, and intend to do well, yet his want of knowledge in those things that most nearly concern the peace and happiness of the people, will make him subject to many and great errors, and the being misled by others; and render him utterly incapable of Judging whether the inferior parts of the Government under him be rightly administred, or of applying fit remedies if it be not.

Thus the people may be very much oppressed and injured, and many Complaints be made of them in Brittain, and yet such a Governor may not be so blamable, as those who procured his being sent to execute powers, of which they knew he was not capable.

A bad Governor invested with all these extraordinary powers, do's thereupon grow haughty and insolent, he knows those who had power to put him in, have also power to protect him in a great measure from all Complaints that may be made against him. He knows the great trouble and hazard they must run, and the great charge, vexation, loss of time, and damage to their Estates, who are forced to take long and dangerous Voyages to prosecute him. He knows that most of the Planters will rather bear any injury then thus seek for an uncertaine redress, and that not one Planter in an hundred is able to bear the expence.

He likewise is sensible that after they have proved all they can against him, the worst that can happen is, that after they have spent two or three Years after this manner, he may be recalled, when the usual time of such Governments is almost expired. And may enjoy at quiet in Brittain the fruits of all his oppression and rapine.

Such a Governor sells his Judgments and decrees to the highest bidder, and all places both Civil and Military without any regard to the fitness of the persons to execute them, which multiplies oppressions. He protects the inferior Officers and others who pay Him yearly pensions, in the neglect and breach of their duty; so that all complaints or prosecutions against them are in vain. He encourages and protects those who declare of his party against all others in their insults, oppressions, and violence. The greatest crimes committed by any of his party escape unpunished, and the smallest trans-gressions in the other are magnified into the greatest crimes. By arts and violence he forces the people to chuse such members for the generall assembly as he knows will consent to the raising of most money by taxes on the people, which is done on pretence of building, or repairing forts, storing Magazines, and other publick uses of the place; but really with design to get most of it for himself in a covert manner.

These things are not aggravated, but much less said of them then might have bin with truth. This is apparent by the following fact, which was done about eight years since.

The person above mentioned who paid the two thousand pounds fine for words spoke by him against a Governor, did afterwards complain to the late Queen, of the said proceedings, and excessive punishment; whereupon he obtained an order to have said money returned him by the Governor, who had received it.

The Governor enraged that he was ordered to part with the money, resolved on a more severe revenge, and with the assistance of a person he used to employ on such occasions, suborned one to swear High Treason against the aforesaid Person used him severely, and threatened to hang him in a few days, giving out, and making the prisoner believe, that he had two positive witnesses against him.

The Treason he was charged with, was a Confederacy with the French Governor of Martinico to deliver up severall British Islands into the hands of the French King. The prisoner (who was a weak sickly old man near seventy years of age) to save his life, and obtain his Liberty, was at last forced to give the said two thousand pounds privately to the Governor. Whereupon he was delivered out of prison without any Tryall, or being bound to appear at any Court to Answer it.

The acquiting of him in this manner, was alone a Violent cause to presume he was not guilty of any Treason, and that he had bought his Liberty of the Governor.

Full proof of all this matter was afterwards exhibited to the late Queen and Council, and laid before the Board of Trade.

And the Generall Assembly of the Island made a full representation thereof in the most zealous manner, humbly praying Her Majestys protection for their Lives, Liberties, and Estates.

All which produced no other effect then the paying back of fifteen hundred pounds of money by the Governors Agent who had received it: and this was done by Composition the person greived loosing the rest. And no person was punished, or any effectual remedy advised or proposed by the Board of Trade against such wrongs for the future.

All Nations but the Brittain have Civil Governors,

or Chief Justices, in their Collonys as well as Military. They rightly Judge that no person can administer Justice, but those who understand it. And till it be so with us, no Plantation can be well Governed.

OF APPEALS AND COMPLAINTS FROM THE PLANTATIONS

As Appeals to the Prince from inferiour Jurisdic-tions, are the rights of the Subjects in all Nations they would contribute very much towards Keeping Gov-ernors, and Plantation Courts in awe, if they were al-lowed from thence, as was formerly practised.

But in the Year 1689, the Governors by their Instruc-tions were directed not to suffer any Appeal to be made to the King, unless the Estate, or matter con-tended for, did amount to the value of five hundred pounds.

This Instruction covered the Governours and Courts from an Inspection into their Conduct in all cases of a less value, thereby giving them the ultimate Jurisdic-tion in all other cases. And Whereas most of the Suites amongst them concern Traffick, and not one in fifty of so great a Value, their power was thereby made absolute in all the rest.

This has subjected the people to many grievous wrongs, but it has made Governments and Judicial places worth more money when they are sold.

In many cases whereby the said Instruction Gov-ernors ought to allow appeals, they frequently refuse them, pretending that the Land, Estate, or Negro Slaves sued for are not of the value of £500 tho' they are worth much more. Some have bin forced to come from the Plantations, and on a Petition to King get leave to appeal, and then return to the Plantations, and come back again with their Appeal, and with the papers and writings necessary for the prosecution of it. And thus they are forced to two or three long

Voyages, with great hazard, expence, and loss of time, before they can obtain Justice.

Where Appeals have bin made against Sentences and Judgments of the Courts, and all the proceedings and Records transmitted under the Seal of the Plantation, it is not to be doubted but Justice has bin done, the whole matter appearing by such papers, and the ultimate Judgment given by the King in Council.

But on complaints of grievances, and of many great oppressions, which have not been done in a Judicial way, and where the proceedings were not of Record, and consequently could not be proved so fully before the King, as in the aforesaid Case of Appeals, the persons injured meet with unsupportable difficultys and have seldom bin relieved on their complaints.

These Complaints are commonly against Governors, who being the Chancellours have the keeping of the great Seal of the Collony, and will not suffer it to be put to any papers that may be used against them, untill a speciall order for that purpose can be obtained from the King.

This forces those who have cause to complain to address themselves first by Petition to the King, praying to have his Majestys Order to the Governor commanding Him to let them have copys of such Records and Papers as they want, attested under the Broad Seal. Which being obtained and carried to America, they may be able after a Year or two thus spent, to return again to Brittain prepared to prove their grievances.

But as it very seldom happens that such oppressions can be fully proved without the Depositions of Witnesses, and as there is no Law by which Witnesses can be compelled to depose in such extrajudicial Cases, or any power in the Plantations, except the Governors themselves to take their Depositions, and return them authentically to Brittain, if they were willing to be examined, for this reason it often happens that the greatest wrongs done there cannot be proved in Brittain.

And where the persons oppressed can prevail with Witnesses to come over from the Plantations, they must bear the expence of it, and likewise pay them for their trouble, hazard, and loss of time, which with their own charges in the prosecution, may amount to above a thousand pounds. This is what few of the Planters can bear, and several have been ruined by it.

This sort of Complaints are begun by Petition to the King in Council. upon reading it there, it is referred to the Board of Trade, to examine into the matters complained of, and report their opinion to his Majesty.

As these complaints are always groundd upon breaches of the Laws, Constitutions, and rules of Government in force in the Plantations, of which no persons can Judge truly, or make any reasonable report to the King, without having a perfect knowledge of the Plantations, and of their Laws, and Constitutions; as likewise of the Laws of Brittain, so that there being seldom or never hitherto any such person in the said Commission, the Subject of such Complaints has seldom bin truly understood by the Board, and consequently could not be rightly reported by them to the King, whereby his American Subjects have failed of that Justice, and relief they otherwise might have had.

That Board having found it difficult to make such reports as they ought in such Cases have kept the matters referred to them a long time under their consideration, and have had severall hearings of the partys concerned, who have frequently bin forced to attend above twelve Months, before they were able to get a report made to the King.

The said Commissioners having power by their Commission to examine Witnesses on Oath, but alway refusing to exercise that power (as it is necessary they should) they are thereby the less able to make their re-

ports with exactness and truth. The not exercising such a power, has occasioned much Confusion, variety of opinions and different proceedings at that Board at several times. The Board have sometimes directed the party concerned to carry their Witnesses to a Master in Chancery, and get the Depositions taken in writing, which they have after received as Evidence.

At other times they have refused to receive such Depositions as evidence, and at the same time have admitted the examination of persons *viva voce*, who were not upon Oath. And at other times have allowed nothing to be good Evidence, but what came over from the Plantations under their Broad Seals.

This uncertainty and variety in their proceedings has often produced more trouble, and greater oppressions than what were at first complained of, and generally their reports to the King amount to little more than giving their opinion, that the Complaints and proofs should be sent back to the Governor for his answer.

The Governors generally delay their Answer as long as they can, and after their Answers are returned to Britain, there is usually so much time spent in a further consideration of them, that their Governments expire, and they are recalled before there be a final determination. And so the matter commonly ends, the persons wronged knowing they can have no further relief on the said Complaints.

Thus after two or three, and sometimes four or five Years excessive charge and trouble, and severall long Voyages from the other part of the World, the unhappy American Subjects are forced to bear their oppressions.

OF THE COUNCIL FOR TRADE AND PLANTATIONS.

The Board was erected about fifteen Years since, as has bin before observed. By their Commission they are directed to enquire into the severall obstructions of

Trade, and the means of removing the same And particularly to inform themselves of the condition of the respective Plantations, as well with regard to the Government and administration of Justice in those places, as the Commerce thereof. And to consider how the Collonys there may be eased, and secured, and rendered more beneficial to England. To look into Governors Instructions, and see what is fit to be added omitted or changed in them. To take an account yearly by way of Journal of the administrations of such Governments. To hear Complaints of oppressions and Male-Administrations from the Plantations. To examine into and weigh such Acts as shall be passed in the Plantation Assemblys, and to consider whether they are fit for his Majesty to consent to, and establish for Laws. And upon these and severall other heads to make representations to his Majesty of such regulations as are fit to be made in the Plantations. As by a Copy of the said Commission will more fully appear.

If this power had bin always vested in persons of knowledge and Integrity, to whom the plantation Affairs were well known and unanimous in the design of promoting the publick service only, it might have produced much good. But there having bin many persons at severall times put into that Commission *for different reasons then their ability* to discharge such a trust (as is well known) it has not hitherto produced such effects as might be expected from it. And it was impossible that Board should make a right Judgment of wrongs, oppressions, and Male administrations, and of Acts, sent from the Plantations to be passed into Laws, or be able to represent what regulations were fit to be made in the Governments, and administration of Justice, unless some at that Board had a perfect and personal knowledge of the nature of the Plantations, and of the people, as likewise of their different Laws and Constitutions.

Many instances might be here given of many incredible things done, and omitted by that Board, but since the design of this is not to reflect on past miscarriages but to prevent the like for the future, and since there is now reason to expect from his Majesty's Wisdom, and the Justice and prudence of his ministers that the said Councill will be in a short time better filled, two instances need only be now mentioned.

They are by the said Commission directed to examine and look into the usual Instructions given to Governors, and to see if anything may be added, omitted or changed therein to advantage. As likewise to consider what trades are taken up and exercised in the Plantations which are or may be prejudicial to England. They have accordingly had the consideration and settling of all such Instructions, in which nevertheless a clause has bin constantly incerted commanding Governors to endeavour, and encourage the setting of Workhouses to set the poor at work, and many Manufactures are made in the Collonys on the Continent of America, which encrease daily, so that in time they may supply our Sugar Collonys, as well as themselves with things that make a great part of our British Trade, to our great prejudice, and contrary to the Pollicy of all other Nations.

They likewise continue the aforesaid Instructions against Appeals, and have bin so far from advising a change thereof, that about thirteen Years since, when on the Petition of many Merchants, and Planters about it, a Committee of the Privy Council made a report that it should be altered; the then Board of Trade made an Interest to have it referred back to them, and on their report it has bin continued.

THE WAY TO PRESERVE AND IMPROVE THE PLANTATION TRADE.

This may be best done by a good Council for Trade and Plantations, filled with persons of Integrity, and

resolution, and fit for the Buisness they are imployed in.

In order to this besides one or two Lords, which are usually in that Commission, there might be one or two persons of Note, who well understand the Constitution and Affairs of Brittain, and if they have bin Embassadors, or Envoys abroad they may be the better qualified. Two Merchants of reputation, who have bin concerned in General Trade, and have given it over, are likewise necessary. And as the Plantations are to be the greatest part of their province, it is necessary there should be some at that Board who have lived in the Plantations, and have a perfect and personal knowledge of them, and especially of their Laws, Customs, and Constitutions of their severall Courts, as likewise of the Laws of Brittain, it being impossible to understand perfectly the Laws of the Plantations without the other, most of the English Laws being in force in the Plantations.

If any who have bin plantation Governors, or others who have served the Crown in Superior Stations in America, have done their Duty, and have behaved themselves with an unblamed Integrity, such persons might not only be of great Service at that Board, but their employment in that Commission would be a great encouragement to all others in the Service of the Crown in America to behave themselves well, when they have such a prospect of being employed after their returne to Brittain. This alone would produce many good effects.

But as such Commissioners if they do their Duty may be forced to disoblige many Governors, and other great men, by whom such Governors may be favoured and supported in Brittain, it will be absolutely necessary to encourage them, that they be personally known to the King, and not removable from that Board, without some fault and his Majesties immediate

knowledge. Such a Council would be able to make proper observations on the State of the Plantations, and every thing concerning them, and full representations thereof to his Majesty from time to time on which fit remedys may be applyed. As no part of the Brittish Dominions has bin hitherto so little understood, and so much neglected, so there is more room there then in any other part of the Kings Dominion for the gaining much Honour to the Administration of his Government and much good to his Subjects.

As a great part of his Majesties personal Revenue arises on the Plantation Trade, as well as of the publick revenue, so both these are fallen by the decay of the Plantation Trade, and will encrease when that is improved. There is likewise a casual revenue arrising to his Majesty in all the Plantations, which if well managed might amount to a good sume; but by neglect, connivance, and fraud, it is now become so little, that it is scarce thought of. His Majestys Honour and Interest is more peculiarly concerned in the good Government of the Plantations, then in any other of his Brittish Dominions, for his power is greater over them, then over any other of his Subjects.

All Appeals from thence are determined by his Majesty in Council and not by the House of Lords, as they are from the rest of his Dominions. His Majesty has power to repeal any of the Plantation Laws, without the concurrence of the Plantation Assemblys by whom they were made, or of any whatsoever. Which cannot be done in the rest of his Dominions.

He has power to erect any new Courts of Justice, or to change those already established. And in most things the will of the Sovereign has hitherto bin the Law of the Plantations.

October the 18th 1714.

*Letter from Governor Hunter to the Lords of Trade—
—about New Jersey Affairs.*

[From P. R. O. B. T., New Jersey. Vol. II. D 80.]

N. York, y^e 3^d May 1718

My Lords

The New Jersey affairs require but little room, in the main all is easy and like to continue so, in spite of the continued endeavours of these restless men who had misled the people, of which they are now sensible I mett the Assembly but it being their busy Seed time, at their own desire I let them adjourn til the fall of the Year, enclos'd your Ldships have what I said to them, and their answer, they have given me all possible assurances of settling a Revenue for a longer term at their next meeting.

I was lay'd under an absolute necessity of nominating two Councillors for each division, Reading Huddy and Parker being dead, Deacon and Byerly unable to attend through age and infirmity, and m^r Hamilton's being called to Boston on the business of the Post Office under his care, the Gentlemen I have appointed for the Eastern division are John Johnston Jun^r, and John Parker both of very good æstates, and capacity, resident in the Province and zealously well affected to His Majesty and his service, those for the Western are Peter Fretwell and John Hugg wealthy sensible men, but Quakers both or reputed so, the session was so short that the two last did not come in time, I humbly beg for His Majestys confirmation of these for with them the number stands thus, only ten in Number

Lewis Morris, George Deacon, Thomas Gordon John Hamilton John Anderson, Thomas Byerly John John-

ston, John Parker Esqs. Peter Frettwell and John Hugg are not yet qualified

I have not had the honour of any of your Ldships Commands for several months past I am with all due honor

My Lords

Your L^dships most humble and Most obedient Servant

Ro: HUNTER

Governor Hunters Message and Speech to the
New Jersey Assembly April 19th and 20th
1718. [enclosed in the foregoing letter.]

Mr Speaker

The Absence of the Gentlemen of the Council Obliges me to dispence with some Customary forms, and least business Should Stand Still to Supply that want by this message, in the meantime I shall take care according to the Powers granted me to have a Sufficient number of that Board here Present before anything that you may have under yo^r Consideration Shall necessarily require their Assistance.

That w^{ch} in my Opinion requires at this time yo^r attention & more immediate care is the Support of His Majestys Governm^t in and over this Province the Provision made for that Expiring in a few months by it's Short Limitation

As to measures for advancing or rather for giving a being to Trade amongst you the Generality has Shew'd Such Aversion to Solid ones, and others Such a fondness for Imaginary or ruinous ones that without the virtue and Resolution of serving those whom you Represent against their inclination yo^r Endeavours will be to little Purpose But if anything of that nature fall under yo^r Deliberation, I cannot think of a better Guyde than a Just inspection into the State of Trade

in other Provinces, where it is in a Good and flourishing Condition the means by w^{ch} it became So can be no mysteries, where it is otherways or has decay'd you'll find the true Causes of Such decay Conspicuous and it is but a Rationall Conclusion That what has Destroyed Trade, or that on which it depends Credit in One Place cannot be the most Proper means either to begin it or Preserve it in another.

I am to acquaint you that the General Assembly of New York have Impowered and enabled me to appoint proper persons for running the Division Line betwixt this Province and that in Conjunction wth Such Surveyors And Comissarys as Shall be nominated for this, In Ord^r to prevent future Disputes & Disquiet And to do Justice to the Proprietors on the Berders of both a like Law for that purpose is necessary here.

Former Assemblies or Sessions of this have Passed so many Laws for the ease of the Subject that there is not much left for that kind as farr as I can discern for you to do, but if any more can be thought of if they are consistant with the rights and powers of the Governm^t and true Interest of the People I promise you my assent to them

All this I desire may be by you Communicated to the House and Representatives

RO: HUNTER.

Amboy y^e 19th of Ap^l 1718

Gentlemen

The message which I sent in writing to the Speaker Yesterday to be Communicated to you makes it unnecessary to detain you long by Saying much now, I shall only put you in mind again that the funds for Support of Governm^t Expire in Sep^r next & as all Assemblies w^{ch} have met Since my arrival Amongst you have taken due Care of that I cannot doubt of yours, I know there are Some (I hope none of yo^r Number) who would if

it were in their power obstruct it in order to throw the blame upon Innocent Men, w^{ch} has been formerly very Conspicuous, or perhaps from a Reall Aversion to all Governm^t for as to my administration in Particular I think I have taken Care to Govern myself in Such manner Y^t malice itself Should have no handle To Lay of, You must give me leave to boast of this, his Ma^{ty} the most Indulgent Father of his People having thought fit to declare so by his Ord^r to the Secretary of State to informe the Lord Comm^{rs} of Trade, that he was well pleased wth my Administration in this Province & at a time when the unwearied disturbers of your Peace (mine they never Ruffled) had laid before him or his Ministers every thing w^{ch} they thought might be be construed—The best Return I can make for Such Condescension is to have before my Eyes In all my actions, that Justice & goodness So peculiar to him as my great example and Guide in Governing y^t part of his people w^{ch} he has intrusted to my Care, if you think there is any due from you, for it was made in regard to yo^r Peace, I shall not doubt but y^t you will make it in y^e most dutifull & thankfull manner

Ro: HUNTER

[April 20th 1718]

*Representation of the Lords of Trade to the King—
upon the Petition of several Traders relating to
the act allowing the affirmation of Quakers.*

[From P. R. O. B. T., New Jersey, Vol. XIII, p. 491.]

TO THE KING'S MOST EXCELL^t MAJESTY.

May it please Your Majesty,

In Obedience to Your Majesty's Order in Council of the 16th of March last, referring to Us the Petition of Several Persons, Stiling themselves Inhabitants and Traders to Your Majesty's Province of New Jersey in America, relating to An Act passed in that Province

allowing the Affirmation and Declaration of the People called Quakers to be accepted instead of an Outh in the usual Form, and for qualifying & Enabling them to serve as Jurors, and to Execute any Office or Place of Trust or Profit within the Said Province: Praying that Your Majesty's Approbation of the said Act may be Stay'd, until the Laws be considered, & the Petitioners heard by their Council, and that the said Act may be disallowed or the Petitioners have such other Relief as to Your Majesty's great wisdom Shall Seem meet; We have considered the said Petition, and there upon humbly take leave to Represent to Your Majesty

That the Act above mentioned was passed in Your Majesty's said Province of New Jersey in March 1713, which lay by till Decem^r 1717, when having no complaints against it and the Gov^r on the other hand having Represented to Us, that the said Act was absolutely necessary for Strengthening the hands of Your Majesty's Governm^t there. We consulted Your Majesty's Solicitor Gen^l upon it, and in Jan^{ry} last We humbly represented that we had no Objection to the said Acts receiving your Majesty's Royal Confirmation Whereupon your Majesty by your Orders in Council of the 13th of Feb^{ry} last, was pleased to approve the Said Act, and the S^d Order was transmitted by Us to the Gov^r the 20th of March last.

We further humbly take leave to observe that Your Majesty's Order of Reference upon the Complaint made against the above mentioned Act is dated the 16th of March last, but was not deliver'd to us till the 10th Instant (near 3 Months after your Majesty's Order of Confirmation was sent away) before which time We had no notice of any Complaint against the said Act.

which is most humbly Submitted

CHA: COOKE

THO PELHAM

DAN^t [Jn^o] PULTENEY

MART: BLADEN

Whitehall

June 18th 1718

Account rendered to the Auditors by Thomas Gordon, Receiver General; of his Expenditures and Receipts from 1710 to 1719.

[From Original among MSS. of W. A. Whitehead.]

Cash of His Majesties Revenue of New Jersey from 23^d Jan 1710 to 26th March 1719.

1711 & 1712.	Dr.	£	s.	d.	Cr.	£	s.	d.
Bergen County Tax for 80 Two years.....	143: 05: 01				By his Excellency Ro. Hunter Gov'r paid his Salary for Sd. Two years by warrants.....	1200: 00: 00		
To Essex County.....	319: 06: 05				By Ch: Justice Compesson & Jamison's Salary.....	0200: 00: 00		
To Middlesex County.....	401: 13: 00				By George Clarke Auditor Generalls Salary.....	0080: 00: 00		
To Somerset County.....	050: 00: 00	1847:	18:	03	By Alex'r Griffith Attorney Generalls Salary.....	0040: 00: 00		
To Monmouth County.....	326: 09: 03				By Jeremiah Bass Secretary's Salary.....	0070: 00: 00	1888:	00: 00
To Burlington County.....	352: 19: 00				By Thomas Gordon Receiver Generall's Salary.....	0080: 00: 00		
To Gloucester County.....	167: 19: 10				By Jo'n Pinborne and Wm. Bradford Clerk, Assembly.....	0000: 00: 00		
To Salem County.....	216: 13: 03				By Will'm Bradford printers Salary.....	0060: 00: 00		
To Cape May County.....	049: 11: 00				By Alex'r Harper Doorkeeper Com- mills Salary.....	0020: 00: 00		
					John Wills Sergeant at Arms Salary.....	0024: 00: 00		
To the Remainder of the £5000 Tax wch was Rais'd for ye Expens- tion ag't Canada.....		0699:	43:	03	By Ja: Sutherland Doorkeeper As- sembly's Salary.....	0024: 00: 00		
					By his Excellency Ro't Hunter Gov's Sal- ary for 15 months from 23 ^d June 1712 to Sept'r 1713 paid out Canada Expedition money.....	0750: 00: 00		
1713 ..					By Ch: Justice Jamison's Salary, for 15 months.....	0125: 00: 00		
					By Coll: Farman 24 Judges Salary for S'd Time.....	0050: 00: 00		
1714 & 1715.								
To Bergen County Tax for 84 Two years paid.....	484: 11: 01							
To Essex County.....	340: 05: 01							
To Middlesex & Somerset Counties.....	282: 15: 06							
To Monmouth County.....	413: 02: 00	2136:	04:	08				
To Hunterdon County.....	175: 15: 00							
To Burlington County.....	260: 08: 02							
To Gloucester County.....	134: 08: 02							
To Salem County.....	330: 13: 04							
To Cape May County.....	024: 07: 10							

[Account rendered to the Auditors by Thomas Gordon, Receiver General; of his Expenditures and Receipts from 1710 to 1719. Continued.]

	Dr.	£ s. d.		
1716, 1717 & 1718	To Bergen County for Sd. Three years p'd.....	286; 11; 06	By Alex'r Griffith Attorney General Salary.....	0018; 15; 00
	To Essex County.....	181; 05; 00	By Jer: Bass Clerk Council Salary S'd 15 months.....	1013; 15; 00
	To Middlesex County.....	325; 03; 07	By Thomas Gordon Receiver Gen'l Salary S'd time.....	0010; 03; 03
	To Somerset County.....	109; 14; 00	By Dr. Jno. Roberts by order of Assembly.....	0002; 00; 00
	To Monmouth County.....	559; 15; 05	1714 & 1715.	
	To Burlington & Hunterdon Councils.....	579; 09; 07	By His Ex'cie Ro't Hunter Gov'ts Salary S'd 2 years.....	1200; 00; 00
	To Gloucester County.....	155; 13; 09	By Ch: Justice Jamison Salary S'd 2 years.....	0200; 00; 00
	To Salem County.....	504; 16; 08	By Alex'r Griffith & Mr. Gordon Attorney Gen'l.....	0060; 00; 00
	To Cape May County.....	105; 05; 04	By Jer: Bass Clerk Council Salary.....	0030; 00; 00
	To Bills of Credit made in 1717.....	4002; 17; 02	By Tho: Gordon Receiver Gen'l for S'd 2 years.....	0070; 00; 00
1717	To Excise for the year 1717 p'd.....	0300; 00; 00	By Wm. Bradford for printing.....	0090; 00; 00
1711	To Sam'l Trotter a fyne for pipe staves.....	0010; 00; 00	By Jno Barclay Clerk of Assembly.....	0041; 15; 00
	Sum is.....	£12404; 15; 02	By Jno. Wills Sergeant at Arms.....	0051; 12; 00
	Errors Excepted by me THOMAS GORDON, Receiver General.		By Jno. Haskoll Doorkeep'r Council Assembly.....	0010; 00; 00
			By James Saterthwait doorkeep'r Arms.....	0013; 02; 06
			By Obadiah Hieston Sergeant at Arms.....	0012; 10; 00
			By Gent: Council for their fees in March 1713.....	0012; 00; 00
			By Signing & sinking Bills of Credit in ye year 1713.....	0246; 06; 00
			1716...	0003; 00; 00
			By Cash p'd Gent: Council fees, vizt. Coll'd Morris.....	0013; 10; 00
			By Cash p'd George Deacon 1716.....	0017; 00; 00
			By Cash p'd Hugh Huddy for S'd Time.....	0004; 10; 00
			By Cash p'd Thomas Gordon for S'd Time.....	0031; 05; 00
				0339; 13; 03
				0339; 06; 00

By Virtue of an order of his Ex'cie Brigadier Hunter in Council Directing us Jno. Anderson David Lyell & Jno. Parker to audit & Inspect

[Account rendered to the Auditors by Thomas Gordon, Receiver General; of his Expenditures
and Receipts from 1710 to 1719. Continued.]

	CR.	£	s.	d.
-----	By Cash p'd for Signing £1070 Bills Credit vizt. To David Lyell Jno Harrison. Jn o Kay & Jn o Klu- sey Eight pounds Each.-----	0032:	00:	00
1716. 1717 & 1718	By Cash p'd his Ex'c's Brigadier Hunter his Salary for 3 years from 23d. Sept'r 1715 to 23d 7ber 1718 by warrants.-----	1800:	00:	00
-----	By Cash p'd Ch: Justice Jamison Salary S'd 3 years.-----	0300:	00:	00
-----	By Cash p'd Coll'r Farmer 2d Judge By Cash p'd Tho: Gordon Receiver Gen'l & attor Gen'l.-----	0030:	00:	00
-----	By James Smith Clerk Council S'd 3 years.-----	0165:	00:	00
-----	By Jno. Hoskoll Doorkeeper Coun- cil.-----	0105:	00:	00
-----	By Wm. Bradford Clerk Assembly S'd 3 years.-----	0030:	00:	00
-----	By Wm. Bradford printers S'd 3 years.-----	0061:	00:	00
-----	By Wm. Bradford printing bills Credit.-----	0075:	00:	00
-----	By Jn o Brown & Jonah Taylor Ser- geants at arms.-----	0025:	14:	03
-----	By Wm. Bunting & Jo: Geedes Doorkeepers Assembly.-----	0018:	12:	00
-----	By Jere: Bass & others p'd by order By Thomas Gordon's particular acct.-----	0017:	09:	06
-----	By my Lady Lovelace paid.-----	0019:	04:	00
-----	By 500 lbs Bills Exchanged.-----	0149:	08:	08
-----	By Bills of 4002: lbs. Bills Burnt.-----	0071:	01:	07
-----	By Balance due by me 50: 01: 05.-----	1379:	05:	00
-----	Sum is.-----	2227:	15:	00
-----	-----	50:	01:	05
-----	-----	£13104:	15:	02

We have also Inspected and Examined all his
Warrants Discharges Recpts & payments & find
them all well and Duly Instructed With his
own particular Acct; for publick Services Done
Amounting to ye Sum of Twelve Thousand Two
hundred Eighty three pounds Twelve Shillings &
Two pence & also a Rec'pt from Jno. Johnstone
Esq'r Attorney to my Lady Lovelace for ye Sum
of Seventy one pound one Shilling & Seven pence
Wch We are Informed Was allowed by ye House
of Representatives & wee find ye Balance Due by

[Account rendered to the Auditors by Thomas Gordon, Receiver General, of his Expenditures
and Receipts from 1710 to 1719. Continued.]

1713	Paid the Gent: Council's Fees in 1713, viz.	£	s.	d.		
	Lewis Morris.....	28	16	00		
	George Deackon.....	27	06	00		
	Hugh Huddy.....	31	10	00		
	Thomas Gordon.....	28	04	00		
	John Anderson.....	16	16	00		
	John Hamilton.....	30	00	00		
	Thomas Byerly.....	31	04	00		
	Jno. Reading.....	30	12	00		
	Elisha Parker.....	15	18	00		
	A General Warrant.....	06	00	00		
				246	06	00
1713	Paid for signing and sinking bills of Credit & Managing Canada Expedition To Coll'll Far- mar 27 lb; Coll: Parker 27lb; Adam Hude 27 lb & To Tho; Pike 12lb York is procl'n.....	008	00	00		
		£	339	06	00	

*Letter from Governor Hunter to the Lords of Trade
—returning old seal, &c.*

[From P. R O. B. T., New Jersey, Vol. II, D. 84.]

Letter from Brigd^r Hunter, Gov^r of N Jersey,
transmitting y^e Old Seal of y^t Province &
rectifying a Mistake about M^r Geo. Deacon,
one of the Council there.

New York July y^e 11th 1718.

My Lords

Since the writeing of these of the 7th Inst^t I have had a Council in the Jerseys In which I broke the old Seale according to His Ma'tys Commands, and by the Same Ship (which is still here by Contrary winds) I herewith Send it to your Lo'sps.

I humbly Intreat your Lo'sps to be pleased to rectify Something In the Letters for New Councillers by an Order or Instruction, It relates to George Deacon who is to be Superseded by John Wells, it is true he is very old and not able to travel far but has constantly attended when Councils have been held in that division where he lives and has been a Just and faithfull Servant to the Crown In all times, and this I am afraid will break the old Mans heart. I humbly presume that it must have proceeded from some mistake. For there is a vacancy in that division by the death of John Reading Esq^r And then the Council stands Thus. Lewis Morris, George Deacon, Thomas Gordon, John Hamilton, John Anderson, Thomas Byasley, David Lyal—John Johnston Jun^r John Parker Peter Fretwell and John Wells So that there is Still one vacancy for John Hugg formerly recommended.¹ I humbly beg pardon for

¹ John Hugg was approved of by Council July 2d, 1718.—ED.

this second trouble in that affaire Supposeing the mistake may have proceeded from misapprehending of what I had formerly wrote on that Subject I am with the greatest honor and gratitude

My Lords

Your Ld^{sps} Most Humble And Most Obed^t Servant

Ro: HUNTER.

Letter from the Secretary of the Lords of Trade to Governor Hunter—about the Members of the Council of New Jersey.

[From P. R. O. B. T. New Jersey, Vol. XIII, p. 444.]

To Brig^r Hunter.

Sir

Since the Boards letter to you of the 20th of March last, they have received Yours of y^e 3^d of May following, relating to Your Governm^t of the Jerseys, and have commanded me to acquaint you

That they are very glad that all things in the Jerseys are So easy at present, and they doubt not but that by your prudent Managem^t they will continue so.

They take notice of what you write about the Councillors, but as there seems to be some Mistake either in your Letter or in y^e Entries in their Books (which however were made from your former Letters) I am to take Notice, that Peter Fretwell and John Wells were recommended by the Board in Nov^r last for the Western Division, in the Room of hugh Hoddy, and George Deacon, & Jn^o Parker for the Eastern, in the room of Elisha Parker and his Majesty was pleased to appoint them of y^e Council accordingly. The Orders were Sent you by M^r Bampfild, who took them out, that the publick business might not be retarded for want of a due Number of Councillors.

Upon this I am to remind you of the Necessity of having an Agent, well instructed in the Affairs of the Province, in order to be ready to answer to such Questions as may from time to time be proposed to him, and to defray such Charges as the Service of the Province requires.

But that they may be the better inform'd of the true State of the Council, I send you here inclosed a List of them as they Stand upon Our Books, for Your Observations there upon. You will perceive that by this List there is no Vacancy in the Eastern Division, So that Jn^o Johnston jun^r whom you Say you have put in, is Supernumerary for that Division and ought not to have been admitted

In the Western Division there seems to be two wanting, but as they are not Sure how the Fact really is, they have only recommended Jn^o Hugg for his Majesty's Confirmation till they hear further from you.

They find that formerly Miles Foster John Read and Adam Hudd. [Hude] were recommended by you for the Eastern Division & Jn^o Harrison Rob^t Wheeler and John Bainbridge, for the Western. And as they are not of those put into the Council by you, they desire to know whether they are dead, and if not, what reasons you had, for putting other persons not before recommended instead of those you had formerly named, as well qualify'd for that Post. I am further to desire you would send their Lordships a new list of Six persons for each Division, that they may not for y^e future be at uncertainties.

It being for His Majesty's Service, that this Board be at all times acquainted with y^e absence of Councilors from their Posts in y^e Plantations; their Lordships Command me to desire that when ever you give leave to any Member of His Majesty's Council in your Governm^t to be absent from his Post, that Such leave be under your hand and seal & that you forthwith trans-

mit to their Lordships a Copy of such Licence of Leave, as also an Account when such Council! departed Your Governm! and to what place he is gone.

Least you should have misunderstood what their Lordships writ you the 16th of May 1717. I am to observe to you, that by the first Clause of the Act of Navigation mentioned in the 3^d Article of your Instructions relating to the Acts of Trade, No Foreign Ships are to be allowed to Trade into His Majesty's Plantations, But their Lordships are of Opinion that British Ship's cannot be condemned nor their Lading confiscated only for Trading to or from Foreign Plantations, provided that Trade be not carry'd on in any manner contrary to the Laws of this Kingdom or of New Jersey, whereby the Ships or Ladings might be liable to be confiscated. However their Lordships think you will do well to observe your last Orders so far as to discourage this way of Trading which is contrary to the Treaties of Peace, tho' not contrary to Our Laws I am

Sir Your most Obedient humble Serv!

Whitehall July 23^d 1718

W^m POPPLE

*Letter from Governor Hunter to Secretary Popple—
about New Jersey Council.*

[From N. Y. Col. Docs., Vol. V, p. 521.]

To William Popple Esq:

Sir

[Extract.]

In my former letters to their Lord^{sh} I have in effect answer'd to what you writ in relation to the Council of the Jersey's But there is a mistake in that list of Councillors you sent me, for W^m Morris has been dead many years and never was in the Council, so that there

is room for John Johnstoun in the Eastern Division¹ & for the confirmation of the good old man Geo: Deacon for the Western. Of those formerly recommended Miles Forster, & Rob^t Wheeler are dead and John Bainbridge become altogether unfit by age and hard drinking. For the Eastern Divⁿ I continue my recommendⁿ in case of vacancies for John Reid, Adam Hude, John Johnstoun & Thom^s Leonard, & John Harrison is now of the Gen^l Assembly but he is of the Eastern Division also. . For the Western John Reiding son of the deceased of that name, Peter Baird Merchant & Inhab^t of Burlington, John Muirhead & Anthony Woodward, but before I can venture to recommend more I must be better advised.

* * * * *

I am with great respect

Sir Your most obed^t humble Serv^t

New York Nov^r 3, 1718

Ro: HUNTER

*Letter from James Logan to George Willocks—relative
to the Division line between the Provinces.*

From the original among Paris Papers in the possession of the N. J. Hist. Society.
West Jersey Bundle 6. No. 7.]

To George Willocks Esq, at Perth Amboy

Esteemed friend

The Council of Proprietors for the Western Division of New Jersey being informed at their Meeting in November last that the persons who had purchased Lands in Whippening Neck had been disturbed by

¹ Under date of July 7th, Gov. Hunter had written to the Lords of Trade: "I have * * received His Majesty's letter nominating John Parker, Peter Fretwell and John Wells of the Council for that Province [New Jersey]; I beg the same favour for John Johnston Junr in order to keep the equality. Mr. Fretwell and Mr. Wells being of the Western Division." John Johnson, Jr., John Reading and Peter Baird were appointed May 31st, 1720.—Ed.

Some Proprietors of the Eastern Division who on some late Discovery claimed all the Said neck as belonging to East Jersey, they took the whole matter into consideration, of which I purposed before this time to have acquainted thee personally at Amboy, but that being deferred, I think it proper to doe it now by writing, that we may in some measure be prepared against the Meeting of the Assembly.

The Partition by which both Divisions Seem to have governed themselves for about thirty years past is that w^{ch} was made between R Barclay & D Coxe in 1688, of which I procured a Copy and because it Seems to refer wholly to J Reids printed Map I furnished my Self with that also.

The matter of Controversy is the Line from the North branch of Rariton to Passaiak River. This you would have to be from Allametunck to Rockaway River, which last because it Suits you best you would make your Passaiak, but how unjustly we Shall See.

As those Gentlemen in London could have nothing to direct them but y^e draughts laid before them, tis plain from their own Instrum^t of Partition that J Reids map was their guide. This divides the North Branch of Rariton into two others, by which we conceive nothing else could be intended than Pepeck and Allametunck, and as the Map makes the Eastermost of these two, which of the two must be Pepeck about twice as large as the other, that branch So described must certainly be what they intended by the largest Stream or Current of Water belonging to y^e N. Branch of Rariton, but upon y^e Spott it is found it Seems to be less than y^e other therefore quitting y^e Intention you adhere to y^e words, and without regard to y^e Design have laid hold on Allametunck, & because not hitherto controverted, take it for granted So far the Letter of y^e Agreem^t has best Served you, but when it will no longer doe So, it must be forsaken it Seems and by

Passaiak is not to be understood the River it Self which has hitherto been called So but y^e nearest water that runs into it. Tho' I appeal to your Selves and to thy Self particularly, whether you doe not know that the blew hills laid down in y^e Map by y^e Side of Passaiak doe not truly run in that manner by y^e Side of what we and every body else hitherto have called Passaiak but principally whether you have not Lands and Patents for them on Record laid out on Passaiak by name, and Scituate on y^e Same Passaiak by an actual Survey or location before the date of that Agreem^t in 1688 above the mouth of Rockaway River. If So, however strongly Interest Sways I hope you will have too much honour ever to insist on this farther. You alledge indeed that you ought to have one half of y^e Province but that you have not by any Division hitherto made near your Share w^{ch} will naturally be fully answered on the next head viz

Ever since I have been concerned in y^e Jersies I have mett with a party who have been violently bent on Standing by y^e first Partition from little Egg Harbour to y^e Northern point on Delaware River, commonly called the Quinquupartite Line, because of the Deed by which it was made, and their Clamours about this have obliged me to consider the whole of y^e division as far as I was capable, and upon it I must confess that I think what they have to say is in Law unanswerable. ffor,

It appears, that this Division was made by the two Parties only in whom y^e whole Province was vested, that Billing and his Trustees Sold only Shares of that Land which lay on y^e Western Side of that Line as particularly mentioned in each particular Deed And S^r G. Carteret or his Lady Sold only Shares of what lay on y^e Eastern Side of the Same Line mentioned also in every particular Deed from them. This fully answers y^e Complaint of an Inequality in y^e Division,

for tho' the Recitals Say that y^e L^d Berkely and S^r G Carteret had the whole granted to them in equal Shares, yet as the Same Recitals tell us, that they or their assigns &c agreed mutually on a Division, and each party Sells to y^e Proprietors according to that Division had Carteret taken up with the town of Bergen alone, in lieu of his half, none that derived from him while 'tis expressly Said the Sales are made in pursuance of that agreem^t, could ever claim any more, And if any other Division were to be afterw^{ds} made it could not be done by any others than all the Proprietors themselves, on both Sides, that had made any under Purchases. It was therefore extreamly absurd in the two Governours, and Seems to be of a piece with the Skill of the Draughtsman of y^e last partition to imagine that any Such thing lay in their power. These Western Proprietors alledge that this latter Agreem^t was a Contrivance of y^e Eastern, who became Sensible of their Disadvantage, which has since appeared more clearly Since Delaware is found to bend in so much to y^e Eastern, that about Maghackamack it is not above 34 miles or thereabouts distant from Hudsons River, w^{ch} is known to run very nearly due North & South, and therefore that the old Line will cut off to y^e Eastern Division a much less portion than was expected. As for my own part, I have alwayes been of opinion, Since I had any tolerable notion of the matter that the case was much like those marriages, of which 'tis Said, that they ought not to have been made but Since they are made, ought not to be broken. Both Sides have broke far in upon the first Division, the Eastern Proprietors first by extending their Surveys westerly within about Seven Miles of Delaware near the ffalls and y^e Western in some measure, in other places. Therefore the utmost Confusion must arise, if all these are to be made void, and the people who honestly purchased under the Proprie-

tors, and commonly, I believe, with general Warranties, must be distracted to the last degree. This I think we ought in regard to y^e publick peace, to endeavour by all reasonable means to prevent. But Since I am perswaded it is more your Interest on y^e Eastern side to labour this than it is theirs of the western, you ought in my poor Judgem^t at least, to Shew your Selves disposed to pursue it by y^e most amicable measures, and with a Spirit different from the last you have taken. We may please our Selves with the thoughts of gaining present Advantages by Address and Skilful Managem^t But Lands and the Inheritance of them are of Such a nature that no man can be Secure of what may follow after that address and skill as to his part dies with him. Pray excuse this freedom I would not write thus to any but a friend who I hope will interpret every thing in the best Sence from one who is and desires to continue

Thine Sincerely

Philad^{la} 22^d 10^{br} 1718

JAMES LOGAN¹

Postscript—I ought not to have omitted mentioning what I did thro' a desire of finishing my Letter with the paper, That in case we can come to terms of accommodation on the last Division, divers of us will use the best of our Interest when we have an opportunity to promote on our parts an Act of Assembly for confirming that Division, otherwise we must return to the quinquupartite Deed, and then endeavour for an

¹ JAMES LOGAN was descended, originally, from a Scotch family. In the troubles of Scotland in the reign of James VI., his grandfather, Robert Logan, was deprived of considerable estate, and his father, Patrick Logan, removed in consequence to Ireland, taking up his residence at Lurgan, where James was born. who, having good abilities and being favored with a suitable education, made considerable proficiency in various branches of learning and science, after which he went to England, whence, in 1699, being about twenty-five years old, he accompanied William Penn to Pennsylvania, and in 1701 was appointed Secretary of the Province and Clerk of the Council. He corresponded with several prominent gentlemen of New Jersey and other letters from him will be found in this volume.—Ed.

Act to Settle in y^e best manner that may be, the former Purchasers in their Possessions if that be practicable; w^{ch} doubtless it is not without great Difficulty.

I am as before Thine J. L.

Report of the Solicitor General upon the act Naturalizing Jacob Arents and his children.

[From P. R. O. B. T. New Jersey, Vol. II, D. 88.]

Mr Sol^r Gen^{ls} Report upon an Act passed in New Jersey to naturalize Jacob Arents & his three Children.

To the Right honourable the Lords Commissioners for Trade and Plantations.

My Lords

In obedience to Your Lordships Commands signified to me by William Popple Esq^e the 10th of December last I have consider'd the bill to naturalize Jacob Arents and his three Children in New Jersey and as such naturalization can have the effect to give them a right to enjoy the priviledges of natural born Subjects *in that Province only* I don't see any objection to the passing this Act since the Assembly there think them proper objects of that favour

I am My Lords Your Lordships

Most Obedient Humble Srv^t

5th March 1718-9

W^m THOMSON

Commission of New York Commissioners and Surveyors to run the Line between New York and New Jersey.

[From Papers of F. J. Paris in Library of N. J. Hist. Society, Vol. A, No. 13.]

GEORGE by the Grace of God King of Great Britain France and Ireland Defender of the Faith &c^a To all

to whom these presents shall come *Greeting Know Yee* that we Reposing Especial trust and confidence in the prudence Integrity and ability of our trusty & Well-beloved subjects Robert Walter Isaac Hicks and Allan Gerard [Jarratt] Esq^{rs} have Commissionated assigned Authorized Impowered and appointed and by these presents do Commissionate assign Authorize impower and appoint the said Robert Walter and Isaac Hicks Commissioners and the said Allan Gerard [Jarratt] Surveyor for the Province of New York that they the said Commissioners and Surveyor in Conjunction with the Commissioners and Surveyor or Surveyors appointed or to be appointed upon the part and behalf of our Province of New Jersey carefully and diligently inspect and Survey all or such of the Streams of water that formes the River Delaware which they the said Commissioners or the Surveyor or Surveyors may esteem necessary to be inspected or Surveyed in order to find out and determine which of the Streams is the Northermost branch of the River Delaware and that then when such Branch is so discovered that the said Surveyor or Surveyors carefully according to the best of their knowledge and understanding discover and find out that place of the said Northermost Branch of Delaware River that lyes in the Latitude of Forty one degrees and forty minutes which is the North Partition Point of New York and New Jersey. And for the better preserving and perpetuating the knowledge of the said North Partition Point Wee do hereby require the said Commissioners and Surveyors that they take notice of the most remarkable and Conspicuous places near to the said North Partition Point whether they be Rocks hills Gullies Ponds runs or Streams of Water and observe on what Courses and distances such Remarkable places bears from the said North Partition Point All which the said Commissioners and Surveyors are also hereby required distinctly

to Certifie under their hands and seals unto our Governour or Commander in chief of our said Province of New York to be filed and Recorded in our Secretary's office of New York And we do by these presents further Commissionate Authorize and impower the said Robert Walter and Isaac Hicks Commissioners and Allan Gerard [Jarratt] Surveyor of our said Province of New York that in Conjunction with our Commissioners and Surveyor or Surveyors for the Province of New Jersey that carefully they according to the best of their knowledge Skill and understanding as near as may be they shall find out and discover that part on the West side of Hudsons River that lyes in the Forty one degree of Latitude and that when that place is known which is the furthestmost place of the Province of New Jersey that is bounded by said Hudsons River then the said Commissioners and Surveyors according to the best of their Skill and knowledge shall run Survey and mark out a Streight and direct line from that part of Hudsons River in the Forty one Degree of Latitude unto to that place aforesaid called the North Partition point upon the northermost branch of Delaware which is in the Latitude of forty one Degrees and forty minutes which line being so run and markt out is forever hereafter (pursuant to an Act of the General Assembly of our said Province of New York past in the fourth year of our Reign Intituled An Act for paying and discharging several debts due from this Colony to the persons therein named and for raising and putting into the hands of the Treasurer of this Colony several quantities of plate to be applyed to the publick and necessary uses of this Colony and to make Bills of Credit to the Value of Forty One thousand five hundred and seventeen ounces and an half of Plate for that purpose) to be deemed taken be and remain as the Partition line limit and boundary between our said Provinces of New York and New Jersey and for the

better preserving and perpetuating the knowledge of that part of Hudsons River that lyes in the Latitude of forty one Degrees and also of the line of Partition or division betwixt our Provinces of New York and New Jersey the said Commissioners Robert Walter and Isaac Hicks and Allen Gerrard [Jarratt] Surveyor shall take Notice not only of the most Conspicuous and remarkable places and of the courses and distances they bear from the said place upon the West side of Hudsons River that lyes in the forty one degree of Latitude as also likewise of all and every the Remarkable places where the said line of Partition or Division Cutts and the distances such places are at from one of the Terminations of the line either on Hudsons River in the Latitude of forty one degrees or on the said Northermost branch of Delaware River in the Latitude of Forty one Degrees and forty minutes all which the said Commissioners and Surveyor are hereby also required to Certifie and return distinctly under their hands and Seals to our said Governour or Commander in chief of our said Province of New York in order to be filed and Recorded in our Secretary's Office of New York.

In Testimony whereof wee have caused the great Seal of our said Province to be hereunto affixed and these our Letters to be made Patent this first day of May in the fifth of our Reign Annoq^e Domini One thousand seven hundred and Nineteen *Witness* our trusty and wellbeloved Robert Hunter Esq^r Captain General and Commander in chief of our said Provinces of New York New Jersey the Territories and Tracts of Land depending thereon in America and Vice Admiral of the same &c^a at our Fort at New York

[Certified to by] J. BOBIN Dep^y Secr'y
in the absence of Ja Allexander

*Letter from Governor Hunter to the Lords of Trade—
transmitting public papers.*

[From P. R. O. B. T., New Jersey, Vol. II, D. 92.]

N York y^e 27 May 1719

My Lords

By this Ship (The Beaver Cap^t Smith) Your Lo^{ps} will receive the Acts Of Assembly And the Minutes of Council and Assembly of New Jersey. A list of the Acts You'll find in the Close of the Minutes of Council: If Your Lo^{ps} think that Any of them require remarks, I hope soon to Satisfy Your Lo^{ps} at Your board being determin'd to make use of the Leave of Absence for Six months which was graciously granted me my present ill State of health absolutely requiring it. And the Beale Castle I hear is In Sight

There is nothing new in this Province Since my Last, The Assembly is Sitting and I Shall Inform Your Lo^{ps} of their proceedings by a vessel which is to depart next weeke All is in perfect peace here and on the Frontiers

If any objections Should be made against those Acts for running the Division Lines in the Jerseys by M^r Cox or his Associats who find fault with every thing that I do, I only beg Leave to Inform your Lo^{ps} that they were after Long deliberation framed and agreed to by All the Proprietors or their Agents and Representatives of both Divisions And pass'd at their earnest desire, I own I left nothing undone that I might do to have them perfected Judgeing them absolutely necessary to the Peace and highly for the Intrest of that Province. I can not frame to my Self the Appearance of an Objection agst them; but I know it is a Sufficient one with those I have mention'd, that I did it. When

I am present I can put them to Silence For the Rest I beg Leave to refer your Lo^{ps} to the Minutes, and am with all honor And Indelible gratitude for your Continu'd Patronage

My Lords Your Lo^{ps} most Humble
and most obed^t Servant

Lords of Trade.

RO: HUNTER

*Letter from Governor Hunter to Secretary Popple—
Intending to leave for London.*

[From P. R. O. B. T. New Jersey, Vol. II, D 94-95.]

N York y^e 6 June 1719

D^r Sir

This is only to Cover the Minutes of the Gen^l Assembly of N Jersey w^{ch} ought to have gone with the Acts last weeke but their Clerk had not perfected them

The Assembly here (now Sitting) have read twice and Committed a Bill for y^e Continuation of the Revenue for one year after the Expiration of y^e Present Acts The Report of my Going Home Curtail'd the Term for they had determin'd to Settle it for five years. Cap^t Willis in the Beale Castle arriveing here gave the alarum, and had I not given a sort of Assurance that I was not to depart wth him I had not even obtain'd That. However Sir I shall (god willing) have the Long wish'd for satisfaction of being with you before winter but if Capt Willis departs so soon as his orders Oblige him my Passage with him is Impossible without hurt to the Kings Service

I shall leave both Provinces In perfect peace to which both had been long Strangers

I Live in Such Torture with a violent pain in my hipp or Buatuk as 'tis Call'd that it is with all Inagunable pain that I write this. I have no hope of Ease on this Side having try'd all remedys Christian and

Pagan, Palenieal Chymical and Whimsical to no purpose Aix La Chapelle is all my present Comfort.

I labour'd hard for an Agent in y^e Jersey but the fearfull and Stingy nature of a Sett of men in our Assembly gott the better of me and I must find a better way to reward our friend Bampfield for his good Services. I am with all Imaginable Sense of Gratitude
D^r Sir Your most Obliged And most faithfull Ser^t

N York y^e 6 June 1719

Ri: Hunter

Letter from James Logan, of Philadelphia, to Colonel Daniel Core, of New Jersey, then in London.

[From a Copy by Mr. Edward Armstrong, from the Original Letter Book of Logan, in the Possession of the Historical Society of Pennsylvania.]

Coll. Cox

Discoursing wth W. Trent concerning thy affairs and those of Jersey, he desired me to give thee some acco^t of ye late act of assembly for dividing that Province between ye Eastern & Western Propriet^r w^{ch} I must at present doe very briefly.

D^r Johnston procured a Clause, to be inserted in ye Revenue Act of N York s^{bre} 1717 allowing 300^{lb} on y^e part of that Govm^t for dividing y^e Province from N Jersey, also an Act last Winter at Amboy for running ye Same Line on ye part of Jersey, but no way could be then found to raise the money, another Act was proposed for dividing ye Jerseys in which Provision should be made for defraying ye charges of both, but this was like to prove very intricate.

Last Summer those of East Jersey finding that ye head of Rockaway came much nearer to Allametunck

than that we call'd Passyock intended in thy ffathers agreement and by this they would cutt off from the Western Prop^{rs} all Weppenunck Neck. We then insisted on it that Pepock not Allematunck was ye true Branch of Raritan. This brought the agreement itself into question & we soon found as it had been long suspected that it had no sufficient foundation in ye Law to built upon. We therefore had recourse to ye Division of ye Quinquupartite Deed as ye true & only legal Boundary Since by it all ye Prop^{rs} of both Divisions had purchased, Those of E Jersey insisted on an equal Division & endeavoured to prove this was alwayes intended & that in L^d Neil Campbells time all ye principal Proprietors had agreed on both sides to recede from the Quinquupartite Division for which they really had a great deal more to shew than any of our side expected, We however insisted strenuously on this Line as both our & their Right & would by no means recede from it.

But as they had for 30 y^{rs} been broke in upon, it was in vain to propose it to the Assembly unless all ye settlers & Purchasers on both sides should be secured. It was therefore agreed that all ye Lands taken up by ye Eastern Proprietors on ye west side of ye Line should be still held in ye same right in ye same manner as if they had been taken up in the Eastern Division provided they did not exceed ye quantity that ye western Prop^{rs} had taken up on ye East side of ye Line. The same Provision was made for the Lands of the western Prop^{rs} & when the quantities taken on ye wrong sides of ye Line respectively by the Prop^{rs} of both Divisions were compared, ye Surplusage after two y^{rs} allowed on both sides to buy rights, is to be taken off from ye unsettled Lands of the 2^d & 3rd Dividends on ye Eastern side & from ye like Lands of the 4th Dividend in ye Western side, or out of ye unsurvey'd Lands on either side if such can be found of

value Thus both sides are to have ye exact quantity they first purchased, And all ye settlers on both sides are made easy

This act cost me a months attendance at Amboy in feb & March last but none was a happier Instrum^t in obtaining it than D^r Johnston who has lately purchased a whole Propriety in West Jersey. The Commiss^{rs} of N. York & N Jersey are now actually out upon that Partition Line, and when the northern point on Delaware is fixed in Discovering of which there is a very good brass Instrum^t wth able artists employed we shall easily find how ye other Line between the two Divisions is to run. By ye inclosed Print thou wilt see who are the managers to raise the money &c for ye western Division. The Commiss^{rs} for running the Line on their part are Jas. Kirkbride & John Reading (ye old man is deceased) on ye Eastern side D^r Johnston & Geo. Willocks are appointed who with J Alexand^r & Jacob Taylor on our part & Jerrat for N York are now actually upon ye work

Tho this Division will not I believe prove so advantageous to us as that of thy ffather & R Barclay could we have got Pepeck & Whippenunck Neck without any dispute yet we all beleive at p'sent we shall be no Losers by it, but shall have this great advantage that ye Titles of Land will be much better settled & their prices will considerably advance.

I admire in ye mean time that no body appears here in thy behalf to take care of thy affairs if there were any such they would have all due regard shewn them by ye C^{ouncil} of Prop^{rs} who still continue much ye same, Pray ord^r the Pay for thy three Proprieties at 50^l each for the first paym^t for tho' we have very full Power We would not use any rigorous measures.

Having this opportunity I must mention an other affair in which thy name has suffered much tis thine & P. Sonmans Releases of those old irregular Surveys

in the first Letters [?] Purchase. Yours and mine were all dated [delivered?] together to J. Basse to be [recorded?] When called on for them he produced mine but could not find yours being threatened to be sued by those to whom the Release was given, he excuses himself by alledging that they were privately taken out of ye office of which he has made affidavit It can be abundantly proved that they were executed & delv'd to him & I need not mention what further construction must be putt on it by all men if they be not produced I hope they will be found for ye reputation of all concerned. Pray excuse the hurry of this, I sett about it Just as thy bro^r Trent informed me he was sealing up. If I can serve thy Just interest in any things acquaint me with it & I shall readily serve thee as

Thy real well wishing fr^d

Philad^a 27th June 1719

J. L.

p^r Simmons to Londⁿ

*From the Commissioners on the Boundary Line to
John Harrison—relating to preparatory examination
of the course.*

[From Certified Copy among the Papers of F. J. Paris, in New Jersey Hist. Society Library, Vol. A, p. 111.]

By the Commissioners &c

Instructions to John Harrison Esq^r to be observed by him during his Journey from Delaware River to Susquehannah River and back again, for the discovery of the Branches of Delaware.

1st You Shall Sett out from Minisinks Island and Go the Indian Path to Susquehannah River, and go up Susquehannah River till you meet the Indian path that comes from thence to the Indian Town in Delaware

Branch Called Cashieghtonk; during which time you Shall observe the following directions.

2 You are to take with You a Compass for observing the several courses you Shall go; and a watch to Know the time you go in each Course.

3 You Shall Keep a fair Journal in this manner

Course	Time steered on same Course	how much by Judgem't you walk'd that hour	Blank for afterwards filling up the distances	Observations

In which you Shall distinctly Sett down each course you go in the first Collumn, The time you go in the Same course, in the Second Collumn, Your Judgement at what rate you went per hour, in the third Collumn, Leave the fourth Collumn Blank, to be afterwards filled up with the distances which will appear from comparing the Time and the Rate per hour of your walking, In the fifth Collumn, of Observations, you may Sett down what observations you Shall think proper: Such as Mountains &c: But above all be sure to take Care to Set down every Stream you Cross, how or on what point of the Compass the Stream thereof Runs and take particular care to Judge well of the breadth depth and Swiftness of the Stream; and Sett down also, the opinions of Your Guides Concerning the Same Branches—

Given under our hands and Seals this thirtieth of June 1719

*Proceedings of the Council of Pennsylvania—on the
approaching departure of Governor Hunter of
New Jersey for England.*

[From Pennsylvania Colonial Records, Vol. III, p. 60.]

At a Council held at Philadelphia, July the 8th
1719 Present

THE HONOURABLE WILLIAM KEITH, Esq^r Governour.
RICHARD HILL ROBERT ASSHETON
JONATHAN DICKINSON JAMES LOGAN.

The Governour acquainted the Board, that having received certain advices from Brigadier Hunter, Governour of the Provinces of New York and New Jersey that He designed speedily to embark for Britain, therefore considering the near Relation this Government has to that of New York & New Jersey upon the account of our Neighbourhood, and the affairs depending to be yet settled between these northern Colonies in Relation to the Indians, the Governour Judged it convenient that He should at this time take a Journey to New York, not only to pay Governour Hunter a visit of Respect at his Departure, but also to settle some Foundation for a Correspondence with those who were to succeed in the powers of Government in case of any future Emergency, and for these Reasons, if the Board had nothing to object, He designed very speedily to set out expecting that his Absence from the Government would not be long.

The Board approved of the Governours Proposal, wished him a good Journey & safe Return, and then adjourned.

*Tripartite Indenture settling the North Partition
Point between New Jersey and New York.*

[From Papers of F. J. Paris in N. J. Hist. Society Library, Vol. B, p. 57.]

THIS INDENTURE Tripartite made the Twenty fifth day of July in the fifth Year of the Reign of George over Great Brittain France and Ireland King &c Annoque Domini 1719. *Between* Robert Walter of the City & Province of New York Isaac Hicks of Queens County in said Province Esq^{rs} Allain Jarret of the City and Province aforesaid Esq^r Surveyor for and in Behalf of the said Province of New York of the first Part John Johnston and George Willocks of the Eastern Division of the Province of New Jersey Esq^{rs} and James Alexander Surveyor General of the said Eastern Division of the Second Part And Joseph Kirkbride and John Reading of the Western Division of the Said Province and said James Alexander Surveyor General of the said Western Division of the Third Part¹ WHEREAS his said Majesty the King by Letters Patents under the Great Seal of the Province of New York did Commissionate, Authorize and Appoint the said Robert Walter and Isaack Hicks Commissioners and Allain Jarret Surveyor of the Province of New York That They the s^d Commissioners and Surveyor in Conjunction with the Commissioners & Surveyor or Surveyors appointed or to be appointed upon the Part and Behalf of the Province of New Jersey that they carefully & Diligently Inspect and Survey all such of the Streams of Water that Form the River Dela-

¹ These gentlemen were appointed Commissioners, &c., in pursuance of the Act for running and ascertaining the Division line at a meeting of the Council, held at Perth Amboy, March 28th, 1719 at which there were present Gov. Robert Hunter, Thomas Gordon, John Anderson, John Hamilton, David Lyell, John Parker, John Wills and John Johnstone.—ED.

ware, which they the said Commissioners or the Surveyor or Surveyors may Esteem necessary to be Inspected or Surveyed in Order to find out & Determine which of the Streams is the Northermost Branch of Delaware River and that then when such Branch is so Discovered that the Surveyor or Surveyors according to the best of their Knowledge & Understanding Discover and find out that Place of the said Northermost Branch of Delaware River that Lyes in the Latitude of forty one Degrees and forty Minutes which is the North Partition Point of New York and New Jersey And for the better Preserving & Perpetuating the Knowledge of the said Partition Point, the said Commissioners and Surveyors by the said Letters Patents are Required to Take Notice of the most Remarkable & Conspicuous Places near to the said North Partition Point, whether they be Rocks, Hills, Gullys, Ponds, Runs or Streams of Water and Observe upon what Course and Distance such Remarkable Places Bear from the said North Partition Point all which the said Commissioners are Required by the said Letters Pattents Distinctly to Certify under their hands and Seals unto the Governour or Commander in Chief of the said Province of New York to be filed & Recorded in the Secretary's Office of the s^d Province of New York ALL which by the said Letters Pattents bearing date the first day of May in the fifth Year of his said Majesty's Reign and in the Year of Our Lord One thousand Seven hundred and Nineteen and remaining upon the Records of the said Province of New York may more fully and at Large appear AND WHEREAS his said Majesty by other Letters Pattent under the Great Seal of the Province of New Jersey Did Commissionate Authorize and Appoint the said John Johnston and George Willocks Commissioners for the Eastern Division of the said Province of New Jersey, Joseph Kirkbride and John Reading Commissioners for the Western

Division of New Jersey and James Alexander Surveyor General of both Divisions of the Province of New Jersey aforesaid in Conjunction with the Commissioners and Surveyor or Surveyors Appointed or to be Appointed upon the Part and Behalf of the said Province of New York That They the said Commissioners and Surveyors carefully and Diligently Inspect and Survey all or such of the Streams of Water that Formes the said River of Delaware which They the said Commissioners or Surveyor or Surveyors may Esteem necessary to be Inspected or Surveyed in Order to find out and Determine which of the Streams of Water is the Northermost Branch of the said River and that then when such Branch is so Discovered that the said Surveyor or Surveyors carefully according to the best of their Knowledge & Understanding Discover and find out that Place of the said Northermost Branch of Delaware River that Lies in the Latitude of forty one Degrees & forty Minutes which is the North Partition Point of New Jersey aforesaid, and the Point as well of the Line of Partition or Division between the Eastern & Western Divisions as that Place where the Line of Partition or Division between New York and New Jersey Terminates, and for the better Perpetuating and Preserving the Knowledge of the said North Partition Point, the said Commissioners & Surveyor for the Province of New Jersey are Required by the said Letters Pattent to Take Notice of the most remarkable & Conspicuous Places near to the said North Partition Point whether they be Rocks, Hills, Gullys, Ponds, Runs or Streams of Water & Observe on what Courses and Distances such remarkable Places bears from the said North Partition Point—*All which* the said Commissioners and Surveyor are further Required as aforesaid Distinctly to Certify under their hands & Seals unto the Governor or Commander in Chief of the Province of New Jersey aforesaid to be

filed and Recorded in the Secretary's office thereof, *All which* by the said Last Recited Letters Pattents bearing date the Last day of March in the fifth Year of His said Majesty's Reign in the Year of Our Lord One thousand Seven hundred & Nineteen and Remaining upon the Publick Records of the said Province of New Jersey may fully and at Larg appear Now THIS INDENTURE WITNESSETH That the said Commissioners and Surveyors as well upon the Part and Behalf of the Province of New York as upon the Part and Behalf of the Province of New Jersey in Pursuance of the Trust Repcesd in Them by the Several and above Recited Letters Pattents under the Great Seals of the Respective Provinces of New York and New Jersey, having Carefully and Diligently Inspected and Inform'd themselves which of the Several and Respective Branches of said River of Delaware is the Northermost Branch thereof Do find *And therefore* by these Presents Do CERTIFY AND DECLARE That That Stream or River which is Commonly Call'd or known by the Name of the Fish kill is the Northermost Branch of the said River Delaware AND FURTHER That They the said Commissioners and Surveyors according to the best of their Knowledge and Information Do Esteem and believe the said Fishkill to be the biggest and Chiefest Stream that Forms the said River Delaware. AND WHEREAS the said Allain Jarrett and James Alexander haveing taken Repeated observations as well nigh Adjoining to the said Fishkill or the Northermost Branch of Delaware River as in sundry other Places in Order to Discover that place of said Northermost Branch that Lies in the Latitude of forty one Degrees and forty Minutes And that they the said Surveyors according to the best of their Skill and Understanding haveing Discovered the same to be upon that Place of the said Fishkill or Northermost Branch of Delaware after mention'd *Therefore* they the said Commissioners and Sur-

veyors Doe Certify by these Presents To all whom it may Concern That the North Partition or Devision Point upon the Northermost Branch of the River Delaware between the Provinces of New York and New Jersey (which Likewise is the North Partition Point between the Eastern and Western Divisions of New Jersey) the Latitude of forty one Degrees and forty Minutes upon the East side of the said Fishkill Branch is upon the Low Land in the Indian Toun Call'd Cosheghtonk which Indian Town is distant from Thomas Swartwoots House at a Place known by the name of Pinpeck near to Machackemack River, twenty nine Miles and a Quarter, upon a Streight Course North forty four Degrees twenty Minutes West by the Magneticall Position, or a Course North Fifty-two Degrees twenty Minutes West by the true Position From John Decker's House at the Place Call'd Titendah by said Machackemack River about Twenty nine Miles and three Quarters upon a Course North thirty five Degrees West by the Magnetical Position or upon a Course North forty three Degrees West by the true Position and upon the Several Courses by the Indian Path from said John Deckers about thirty five miles and a half Which Point of Intersection of the Latitude of forty one Degrees and forty Minutes upon the said Fishkill or Northermost Branch of the River Delaware is Distant thirty Eight Chains (Reckoning four Perches to a Chain) from the Mouth of a Brook known by the Indian Name of Lamachanock and at all times Comeing to be Call'd or known by the Name of Station Brook (which Falls from the Hills at the Entering in of the Indian Path to the said Town Cashieghtonk) upon a Course Nearly North five Degrees forty five Minutes West by the Magnetical Position and upon a Course North thirteen Degrees forty five Minutes West by the true Position Which Point of Intersection is ninety nine Chains and a half Reckoning four Perches to a

Chain from a Large Stone or Rock the Greatest Length of its Superficies being about Eleven Foot and three Inches and its broadest Part about Seven Foot three Inches Lying partly in and partly out of the Water upon the Bank of the said Branch called Fishkill upon a Course South Ten Degrees forty five Minutes East by the true Position, which Stone is markt with the Letter M And is one hundred and thirty Seven Chains Distant from the Mouth of the said Brook upon a Course North Seventy Eight Degrees forty Minutes East by the true Position at which Stone or Rock the Low Land Ends and the hills Come Close to the said Branch or River Fishkill, the Courses and Situation of the said Brook and of the said River and Hills from the said Brook to the Stone aforesaid will better Appear by the Draught to these presents Annexed. IN TESTIMONY whereof the said Parties to these Indentures have Putt their hands and Seals the Day and Year first above mention'd—

R. Walter [L. s.]

John Johnston [L.S.]

Joseph Kirkbride [L.S.]

Isaac Hicks [L.S.]

Geo: Willocks [L.S.]

Jn^o Reading [L.S.]

Allane Jarratt [L.S.]

Ja: Alexander¹ [L.S.]

in Behalf of the Eastern & Western Divisions of New Jersey

Sealed and Delivered in the Presence of James Steel
John Harrison.

Ja: Alexander

was of distinguished Scotch parentage, and before coming to America was re-

cognized as the presumptive heir to the title of Earl of Sterling. At an early age he had acquired a good education and was especially proficient in mathematics; fitting him for the duties of an officer in the Engineer Corps of the Pretender, with whose cause he became to such an extent identified that, on its abandonment in 1715, he thought it advisable to seek for personal safety in America, and sailed for New York in May of that year, being then twenty-four years of age. What introductions he brought with him other than authority from some of the the proprietors of East Jersey to look after their interests in the province, or to

*Proclamation about the Neglect of the Assessors of
some counties in New Jersey.*

[From P. R. O. B. T. New Jersey, Vol. II, D. 101.]

BY THE HONOURABLE

Lewis Morris, Esq; President of His Majesty's
Council for the Province of New-Jersey
and the Territories depending thereon in
America, &c.

A PROCLAMATION.

Whereas by an Act of the General Assembly of this
Province; entitled, An Act for the Support of the

whose influence he was indebted for his advancement is not known, but soon after his arrival he received the appointment of Deputy Secretary of the Province of New York. Robert Hunter, then Governor of both New York and New Jersey, having been himself born in Scotland, it is presumed that fact, and young Alexander's affiliations and attainments, tended to facilitate the formation of the friendship which soon sprung up between the two. Alexander's appointment as Deputy Secretary which was received in 1715, brought him into association with the prominent men of the time, made him familiar with the condition of public affairs, and strengthened the foundation for his future successful career. The time not required for his official duties was devoted to the study of the law, and his evidently rapid advancement therein is an indication, not only of his industry but also of previous acquisitions in that direction. He became early identified with the settlement of the boundary between New York and New Jersey and subsequently became Surveyor General of both provinces. In July, 1721, he was appointed Attorney General of New York and filled the position until March, 1723, in which year he was made Naval Officer, a position which was resigned in 1725. In 1721 he was called to the Council of New York on the recommendation of Governor Burnet—into whose confidence he seems to have been soon taken, at the suggestion, probably, of Governor Hunter—and filled that important position for several periods thereafter. As his acquaintance with several of the proprietors of New Jersey brought him into close connection with that province, he naturally became interested in the soil and soon was appointed one of the Council of that province also, succeeding Thomas Gordon. He is represented by those who knew him, says Smith in his History of New York, as "a gentleman eminent in the law and equally distinguished for his humanity, generosity, great abilities and honorable stations." With the exception of William Cosby, the Governors of the provinces of New York and New Jersey recognized in Mr. Alexander an able and willing supporter. It is to be regretted that no biography

Government of his Majesties Province of New-Jersey,¹ for two years, to Commence from the 23d of September last past, and to end the 23d of September 1720. several Arrearages of Taxes, therein mentioned, are directed to be assessed and levied on the Inhabitants of the several Counties of this Province, in order to take up and sink several Bills of Credit formerly made current in this Province, and now remaining in the hands of many Persons; Which nevertheless has been neglected to be done in the Counties of Burlington and Hunterdon; the Assessors of the said Counties being prevailed upon, by the Arts of ill-Disposed Persons to neglect their Duty in Assessing the same. under Colour of some Clauses in the Act before mentioned, which directs Inquiries to be made of Sums of Money supposed formerly to be paid, and have presumed to make such Constructions of the said Clauses, as will Elude and utterly Defeat the good Intentions of the Legislature in Enacting the same. And whereas I am induced to beleive, the Neglect of the said Assessors has

of him has been written. There are abundant materials to be obtained, as he was closely connected with the public affairs of both New York and New Jersey, as the contents of these volumes clearly show, and the many original documents preserved by him, to which access may be had, illustrate his eminent ability and moral worth. Mr. Alexander married in 1735 the widow of Samuel Provost, a merchant of New York, and for some years Mrs. Alexander carried on a dry-goods business in that city, her establishment being resorted to by the gentry generally of the surrounding country. Mr. Alexander had one son, William, who is known in American history as Lord Sterling and held a commission of Major General in the army of the United States, during the Revolution. Of Mr. Alexander's four daughters, Mary married Peter Van Brugh Livingston; Elizabeth, John Stevens; Catherine, Walter Rutherford; and Susannah, John Reid. Mr. Alexander died April 24, 1755, in the 65th year of his age. He was one of the founders (with Dr. Franklin and others) of the American Philosophical Society. His scientific attainments were manifested in the manner of his conducting the various matters which required his attention as Surveyor General of New York and New Jersey, and he kept up a correspondence with Halley, the Astronomer Royal at Greenwich, and other learned scientists in different parts of Europe. See Smith's History of New York—Duer's Life of Lord Sterling—New York Col. Docs., Vol.V, p. 982, note. —New Jersey Hist. Society Library.—Rutherford Collection of MSS., &c.—Ed.

¹ Governor Hunter left for England about July 10th, 1719, and arrived there in October, being detained at Plymouth several days by bad weather. Lewis Morris became clothed with the chief authority in the Province as President of the Council.—Ed.

proceeded rather from their Weakness, and has been an Error of their Judgement, and not any Depravity of their Nature or Ill Affection to the Government, I have, by the Advice of his Majestys Council for this Province, thought fit to Suspend any Prosecution of them, and to direct them to Assess the said Arrearages on or before the Fifteenth of September next, in order that they may as speedily as possible, be Collected and Paid. that the Publick Credit of the Government may be Supported, and private Persons who have advanced their Money, depending on it, may not be Sufferers. Hereby declaring, That if the said Assessors, or any else concerned, shall hereafter Neglect the Performance of their Duty, That they shall be Proceeded against with the utmost Severity of Law.

And Whereas by the said Act Colour is given to suppose, That there may be Money Concealed in the hands of several Persons, which has been formerly Collected and Paid for the publick Taxes, in the said Act mentioned, I Have therefore thought fit, by and with the Advice of his Majesties Council for this Province, strictly to Require, Charge and Command the Treasurer of the Western-Division of this Province, his Majesty's Attorney General, Judges and Justices in the said Counties of Burlington and Hunterdon to make Strict and Diligent Inquiry, and use their utmost Endeavours by proper and Legal Means to Discover the said Concealments (If any such there be) that they may be Recovered and Applied as the Law Directs. And all his Majesty's Loving Subjects inhabiting the said Counties, or else-where in this Province, are hereby Required to give what Information they can to his Majesty's Attorney General, or to the Treasurer of the Western Division of this Province, of all or any such Concealments, (If any such they know) that they may be Recovered and Applied according to the True Meaning and Intention of the Law.

Given Under my Hand and Seal at Perth-Amboy
the 22th Day of August, in the sixth year of His
Majesty's Reign, Annoq; Domini 1719.

L. MORRIS.

By his Honour's Command,

JOHN BARCLAY, D. Secry.

GOD SAVE THE KING.

*Petition of Allane Jarratt, Surveyor of New York, to
the Council there, relating to the Partition
Line between that Province and New Jersey, with
the Committee's Report thereon.*

[From P. R. O B. T., New Jersey, Vol. II, D 99.]

To the Hon Peter Schuyler Esq. President &
the other Gentlemen of the Councill of the
Province of New York

The Humble Petition of Allane Jarratt

Humbly Sheweth

That whereas yo^r Petion^r having been Appointed by
his Excellency Rob^t Hunter Esq by Letters Patent
under the Great Seal Surveyor for the Province of
New York and thereby Commissionated with full
power and Authority in Conjunction with the Sur-
veyor of the Provinces of New Jerseys, Carefully and
Dilligently According to the best of their Skill and
Understanding Discover and find out that place upon
the Northermost Branch of Delaware River that Lies
in the Latitude of forty one Degrees and forty Minutes
and that to be the North Partition Point of the Prov-
ince of New York and New Jersey, As also Carefully

According to their Skill and Understanding Discover and find out as near as may be that place on the West side of Hudsons River that Lies in the Latitude of forty one Degrees which shall be the furthest place of the Province of New Jersey Bounded by Hudsons River. And then in Conjunction with the Commissioners of both provinces to Run a Direct Line from across Two Stations (when Determined) to be the partition Line between the Two Provinces.

Now yo^r Petition^r pursuant to the Great trust Reposed in him in behalf of the Province of New York by the said Commission has in Conjunction with the Commissioners of both provinces and the Surveyor Generall of the New Jerseys proceeded from New York to Mahacamack and from thence in Conjunction with the Surveyor Generall of the Jerseys up the Fysh Kill to the Latitude of forty one Degrees forty Minutes Observed in July last by a Brass Quadrant of about Twenty Two Inches or thereabouts Radius and the Latitude last mentioned determined and adjusted in this Manner after four Repeated observations with the Plumett, at each End of the Quadrant found them not to Differ from each other above half a Minute or thereabouts the Difference being so Small the Latitude was Adjusted by a Mean between the differences of the said Observations As also Allowing the Obliquity of the Ecliptick to be by a Mean between $23^{\circ} 30'$ & $23^{\circ} 29'$ as may more fully appear by a Journal ready to be produced and a Triparty Indenture Executed by the Severall persons Concerned for Confirming the Same

From thence yo^r Petition^r in Conjunction with the Surveyor General of the Provinces of New Jerseys proceeded to Madam Corbetts as they Adjudged that place to be nigh the Station on Hudsons River made Sundry Observations the Last Month in Order to Determine and Adjust the Latitude of Forty One Degrees

with the aforesaid Quadrant more Carefully and Dilligently (having the Advantage of a Good Sun and Clear Weather) then the former they had up at the other Station. The first of which observations with a Plumet at the End of the Quadrant (as it was in all the Observations at the former Station) made this Station to Fall near Two Minutes to the Northward of the place of Observation or near Taphan Creek, the Last of which Observations with the plumett about the Middle or Two Thirds of the Quadrant made the Station fall between Two or Three Minutes to the Southward of the place of Observation or near opposite to the Jonkers Mills as has formerly been Reputed to be near the Station.

Yo^r Petition^r Conceiving a Great Difficulty to Decide the true Latitude of Forty One Degrees in so Wide Differences of Observations by so Small an Instrument upon the Same place and not Daring to Relye on his own Judgment in so Weighty an Affair that so highly Concerns the Case of this provinces for Taphen and Sundry other Gentlemens Estates bordering on the above Mentioned partition or Division Line Requiring a Larger Instrument and the most Exquisite Exactness and Niceness to Determine And Also to Vindicate himself from all future Reproaches and Aspertions of being Bribed or Byast therein; could have no other Recourse then Laying this Matter before the Wisdom of this province, And at this time being prest upon by the Commissioners for Discharging and Executing this great trust Reposed in him and having Given Security for the performance of the Same and Making Matter of Conscience how to Come at the Exact truth by such an Instrument that Discovers such a difference in these Observations *Humbly prays* that this Honourable Board would take it into Consideration and give yo^r Petition^r such Instructions to Direct his

Judgment in this Affair as Seem most proper to your
Great Wisdoms

And yo^r petition^r as in Duty Bound shall ever Pray &c

A handwritten signature in cursive script, reading "Allane Jarratt". The signature is written in dark ink and includes a large, stylized flourish at the end.

[September 1719]

Councils report on Jarrats Petic'on

May it please Yo^r Honour

In Obedience of your Honours order in Council of this Day Referring to us the annexed Petition of Allane Jarratt, We have in presence of M^r Alexander Surveyor General of the Province of New Jersey and D^r Johnston one of the Commissioners for the said Province fully Examined the Pet^r upon the Severall Particulars Sett forth in his Said Petition, and before Wee proceed to Declare our Opinion thereon, Wee take leave to Report that the matter of fact appeared to us in the following manner, to witt, That by a fair Journall produced to us by the Pet^r of the Several Observations taken at the Fish Kill & at Mad^m Corbets, the Observations taken near the midle of the Quadrant made use of in that Service Differed from those taken at the Ends upwards of four minutes. That this discovery was not made untill they Observed at Mad^m Corbetts and that the Pet^r thereupon Immediately declared to the said M^r Alexander in the presence of Severall people then on the Spot he could neither Rectify the wide Errors of the Instrument nor take upon him to fix the Station by it the same varying So much in itself.

That notwithstanding the methods proposed by M^r

Alexander for Correcting the Said Errors the Pet^r Declared he could not adventure to Settle a Lattitude that could be Depended upon by that Quadrant.

That he being by Repeated Questions put to him in all the Various ways We then could think of askt Whether he could not find means to proceed with that Instrument for fixing an Exact Lattitude, he Still Declared that he could not take upon him to Doe it by this Instrument for the Reasons above mentioned But that in Case one of five or Six Foot Radius could be procured, Certifyed by able and Skillfull Mathematicians from Great Britain to be true and Correct, he would then be ready to ascertaine the Station according to his best Skill and that the Observations whereby the Lattitude was Settled upon the Fish Kill were taken at the Ends of the Quadrant and the Errors and Defects thereof not being Discovered at that time he affirmed that the Said North Partition Station upon the Fish Kill is wrong and Erroneous Notwithstanding the Tripartice Indenture mentioned in the Said Petition to be Executed thereupon that occasion.

Upon the whole matter as the Pet^r was made Choice of for this Service as the best and Ablest Mathematician of this Province and he having not only by the Declarations in his Petition but by his Repeated Assurances before us of the Defect of the Instrument and also his Declaring the methods proposed by M^r Alexander for Correcting them were not Satisfactory to him and the matter being of Such Importance that it Requires not only the best of Instruments but the Nicest Skill and Exactness to Settle, Wee cannot advise your Honoure to order the said Surveyor to proceed and fix the Said Lattitude by this Instrument, but Rather that he Should be Directed to Sett forth and Certifie by Some Instrument under his Hand and Seal that the Station pretended to be fixt at the Fish Kill is wrong and Erroneous to the End this Province

may not at any time hereafter receive any Prejudice by the aforesaid Tripartite Indenture Executed there by the Surveyors and Commissioners on both Sides before the Defects and Errors of the Quadrant by which that Station was fixt were Detected and that all further proceedings ought to be Staid untill a Correct and Large Instrument be procured for Settling the Said Stations, all which is Nevertheless humbly Submitted by.

Your Honours Most Obed^t Servants

A DEPEYSTER

New York Sept. the 24th 1719.

GERARD: BEEKMAN

RIP VAN DAM'

JOHN BARBARIE

D PHILIPSE

Memorial of the Proprietors of New Jersey to Coll: Morris President of the Council there—relating to the Survey of the Boundaries between that Province and New York.

[From P. R. O. B. T. New Jersey, Vol. II, D 100.]

To the Honourable Lewis Morris Esq^r President
of His Majesties Council for the Province
of New Jersey in Council.

The Humble Memoriall of the Proprietors of

Rip van Dam

was a prominent merchant of New York, identified with many important events in the history of the city, and filling, during a long

life, many eminent positions and becoming thereby involved in several severe controversies. He became one of the Council under Lord Cornbury, and continued an active member of the Board during subsequent administrations, and being senior councillor, on the death of Gov. Montgomerie assumed the government of the Province as President of the Council. He was superseded by the arrival of

the Eastern and Western Division of said Province of New Jersey.

[October the 12th 1719]

Most Humbly.

sets forth, that they have considered the Petition of Jarrat & others to the President & Councill of New York, And are very much surprized to find that the Persons now concerned In that Government, should put A stop to the Runing & Ascertaining the Line of Division & Partition betwixt that & this Province, upon the groundless, weak and untrue Suggestions of the Petitioner. And the Visionary Whim & Cant of the Surveyor, After the same had been directed to be done by the Legislature of both Provinces, And Commissioners had been Appoynted under the Great Seale of Each of them for that purpose, And had made (At a very Great Expence) so considerable A Progress.

They begin with setting forth that the Dukes Grant being made In the year 1680 The Tables then In use ought to be the Rule of setling the Latitude, And that by those Tables, the obliquity of the Cliptick was universally Allowed to be 23: 30^{mts}

1st If that way of reasoning be conclusive they should have mentioned the Grant in the year 1664. (there being no such Grant In the Year 1680. that we know of) and the Tables then In use, for If the Latitude mentioned In a Grant In the year 1664 might be Ascertaind by Tables In use In the year 1680. they

Gov. Cosby, and subsequent difficulties with that official caused his dismissal from the Council, and his age and impaired energies prevented his restoration, although earnestly tried for. He died on the 10th of June, 1749, at a very advanced age. He was born in Albany, and married Sara Van der Spiegle in New York on September 14th, 1681. It is said they had fifteen children. Three daughters married into families that were the original stock of the Livingstons and other distinguished men of New York. See New York Colonial Documents--New Jersey Historical Society Collections, Vol. IV.—Mrs. Lamb's History of New York, &c.—Ed.

might As well be settled by any Subsequent Tables If they were Right, the truth of Tables, and not the Hypothesis on which they are made, or the time of making them, being to be considered In a case of this Nature, when that Grant was made by the Duke. It was upon a certain knowledge, that there was A Place In Hudsons River in the Latitude of 41^{ds} ; and an other on Delaware In the Latitude of 41^{d} & 40^{mits} and the Province of New-Jersey was by that Grant Intended to Extend so farr North as these Latitudes really were And the best and most proper means for the discovery of them were to be made use of without Regard to this or that Table.

2^{dly} The Authors of some of the Tables in the year 1680. might be of Opinion that the Obliquity of the Ecliptick was 23: & 30. and we Suppose Calculated their Tables of the Suns declination Accordingly; but it is the Tables of the Suns *Place*, that can only be made use of In this case, and these Tables have no concerne with the Obliquity of the Ecliptick, whether made by those Authors or any Else.

3^{dly} That the Obliquity of the Ecliptick was In the year 1680. universally Allowed to be 23: & 30: is A Position that (with All Due Defference to the Creditt & Knowledge of the Petitioners Informers) we think is not true; for M^r Flamstead long before found it to be 23: & 29: and About the year 1680 publisht his doctrine of the Sphere and through that book uses 23: & 29. as the Greatest obliquity, and so Its used by S^r Isaac Newton In his Theory of the Moon, this was In England by two as Good Mathematicians as any In Europe In France Mon^r Tehire one of the Royall Academey of Paris by observations of the Sun near the Zeaneth and out of All danger of Refractions of any considerations found it before that time to be 23: & 29: and about that time and since It has been Generally Allowed to be so.

4^{thly} With all Due Deference as before, we have reason to think, that the Tables the Petitioners mention was not In use In the year 1680. but decayed, and that the opinions of Flamstead Newton and the most Celebrated Mathematicians of the Obliquity of the Ecliptick being 23: & 29: obtain'd at that time, And If we may use the method of the Petitioners to speak by Information, and Reserve to ourselves the Liberty of Altering and Amending, we are Informed that In the year 1682. (At the End of which the Duks Grant of Confirmation to the Proprietors Past) the Tables then In use were calculated According to the Obliquity of the Ecliptick At 23: & 29: and then According to what themselves have advanc't these Tables ought to be the Rule of Setling the Latitude.

5^{thly} Admitting the Obliquity of the Ecliptick to be 23 & 30: or what Greater Number of Degrees the Petitioners Please, the Advantage or disadvantage to them would not arise from that Obliquity; but from the time of the year In which the observations were made, And had they been made during the time of the Suns declention to the Southern Tropick, the Petitioners would have complained, and According to their happy way of reasoning, Inferred, that it was Intended by the Dukes Grant that the observantions should be made After the Sun had Past the Vernal Equinox, and before Its returne to the Autumnall, because that Grant Past the 14th of march, some small time After the Sun had Past the Vernal Equinox.

6^{thly} The obliquity of the Ecliptick, Refraction of Rays and things of that Kind were proper Subjects of debate between the Commissioners and Surveyors of each Province (to whom the discovery of the Places of Latitude were Intrusted) In order to use such methods as they should Agree to be Most Just and Effectuall for the obtaining of that End, And Accordingly such debates were, and by Agreement between them.

The obliquity was settled to be A meane between 23: & 29: and 23: & 30: and pursuant to that Agreement the observations made and the Station settled though something to the disadvantage of your Honours Memorialists, the true Obliquity being 23: & 29: which Jarrat cannot chuse but Know, and that the consent of our Surveyor to any Addition to it was In Compliance with Jarrats Capriciousness and to promote the Settlement and discovery of those Latitudes, and the Line of Partition by the Legislature and All Impartiall of both Provinces, so Earnestly desired, and not from any beleefe or Knowledge he had, that such an Addition was Just, and After those matters have been discuss't and Agreed upon, and the Station Setled, we hope it will not be In the Power of A few dissatisfied Persons by Clamour and Noyse without reason or Common sence to defeat is done In so Solemn A manner and Prevent what ought to be done In pursuance of their Oaths And Commissions.

The Petitioners second reason for what they call their Just Apprehensions that A Due and Equall Regard has not been had &c: is that by A Draft made by George Keith Surveyor of the Jersies, the Northermost Branch of Delaware River is laid 25 Miles to the westward of the ffish Kills.

1st We deny that by any Map of George Keith, any Branch to the westward of the ffish Kill is laid downe as the Northermost Branch of Delaware River, there is A Map made by Philip Wells, Surveyor of New York, which is call'd George Keiths, that lays downe A Branch to the Westward of the ffish Kill; but does not determine whether that or the ffish Kill is the Northermost Branch.

2nd If there was or is any such Map made by George Keith as they say, we can't see what can be Inferred from thence, other then that the maker of such Map was made beleefe there was such A Branch; but will

no more prove there was such A Branch In reality, or any unfaire proceeding as is suggested, then A Map (of which there are severall) that lays downe A Large River Runing from Hudsons River, Into Hakingsack River making that part of Jersie, that borders on Hudsons River an Island, will prove that there is in reality any such River or Island as there laid downe, nor will either of these mistakes prove any unfaireness or Partiality of Proceeding, had there Indeed been such A River as is said to be laid downe by Keith, and had that River been the Northermost Branch of Delaware, and the Commissioners & Surveyors had fix't the Station 25 Miles East of it there had been Just reason of Complaint; but to Inferr an unfaireness of Proceeding because A Certaine Person laid down A River In A Map (which has no being In Rerum Natura) is such A way of reasoning as can have no weight with any men of Common sence not very much Predisposed In the Petitioners favour.

3^{dly} We begg leave to Informe your Honour, that If there had been any such River as is Suggested to be laid downe In the Map, the Proprietors of the Eastern Devision, and the Commissioners of the Jersey side, would not have fail'd to have found it out and fix't the Station upon it, It being very much their Interest to have it so, A Station so fix't giving to the Eastern Devision of Jersey above 30000 acres of Land which is worth more then so many Pounds, whereas the low Land supposed to be Acquired by the Station on ffish Kill, and which the Petitioners by their low and Vile Reflections Suggest to be the motive of (their Imaginary) unfaire dealing, hardly amounts to 3000 Acres and that not worth above sixty pounds pr Hundred, which shews how little ground there is for the unreasonable clamour they are Incouraged to make on that head.

That In the year 1686. the Latitude of 41^{dg^{rs}} on Hud-

sons River was Ascertained to be Due west from Phredrick Philips Lower Mills by the Surveyors of New York and the Jersies by consent of the Respective Governours of both these Provinces is A very Great mistake In fact no such thing being to be found Extant of Record In Either of the Provinces, Indeed Philip Wells Surveyor of the Province of New York and one Andrew Robeson Surveyor of the Province of West Jersey, which was then A distinct Province from East Jersie made some Attempts to fix the Latitude of 41 ^{dgrs} on Hudsons River, and made A Report that they had so done, In which they made use of Keiths Name In the Body of the writing to give A collour to their Proceedings; But It was without Keiths consent, and he never signed it, and the Latitude so Ascertained by them was not as the Petitioners say due west of the Mills but one minute and 25 Seconds to the North-ward of them; How farr Coll: Hamilton by some unguarded Expressions In any Letter of his might give occasion to wrest them to A construction of owning A thing that never was we Know not; But have no reason to beleeeve it on the Creditt of the Relators, whose many mistakes In matters of fact gives us good reason to beleeeve they are misinformed In this, and It seems very odd that the Petitioners for so considerable A fact as the Agreements of Governours of Provinces concerning the settlement of Lines of Partition between them could produce No better Prooffe than an Accidentall Expression In A Letter wrote seaven years Afterwards, besides should It be true, that Coll: Hamilton did owne what never was, we can't think the Proprietors are to be concluded by his mistaken Sentiments, having had no Authority from any of them to make any such Acknowledgement, and If the Expressions of A Letter can be made use of to conclude the Proprietors In an Affaire of that consequence, will not Coll: Dungans taking out A

Pattent from the Province of New Jersey (at the time he was Governour of New York) for the Lands he held In Staten Island with an Equall Parity of reason conclude the Crowne as to that Island, this was an owning upon Record, and an owning with A witness.

Though we think that neither of those ownings will conclude the Crowne, or the Proprietors, yet we begg leave to mention one that (as we Humbly conceive) In Law and Justice ought to conclude both; and that is the Solemn Agreement made between Coll: Thomas Dungan when Governour of New York, and Gaun Lawrie Esq^r Governour of East New-Jersey In the year 1684. who Agreed and Ascertained the Latitude of 41 ^{dgrs} on Hudsons River, to be at the mouth of Tappan Creek In the meadows where it runs Into Hudsons River, this was An Agreement not to be charged with Partiality, Craft or practice, both the Governours, with the Councill of Each Province, or the Greatest part of them, and severall Gentlemen of figure of both Provinces went upon the Spot; the most Eminent Lawyers of both Provinces, attended to Advise In case any difficulty should arise In construction of the words of the Dukes Grant, The Surveyors of Each Province were there who understood Astronomickall observations, and were men skillfull In their Professions; there were others of both Provinces very Able In Mathematicall Learning; the observations they made were done with Instruments of six foot Radius two of which they had nicely Graduated; the observations often Repeated In the Presence of both the Governours; Councill, and Persons there Attending; so that All Pretence and Collour of fraud was taken away.

The Latitude fix't with the Nicest Exactness In that Great Presence, and Agreed to by the Persons concern'd, and is Extant of Record In this Province As (we suppose) it is In that, this is an owning we con-

ceive to be conclusive, and we Humbly hope His Majesties Goodness and Justice will Induce him to confirme what was done In so Publique and Solemn a manner nothing so free from All objection, being to be hoped for from A second Essay, however we are not without some hopes, the Justice and Prudence of the Government of New York In Enforcing A Compliance with the directions and Intentions of the Legislature, will make Applications to His Majestie needless on this head, and prevent these measures we shall otherwise be under the Necessity of taking, and the Justice of our cause will warrant.

What the Petitioners say with Respect to the Naming of Commissioners by the Governour, not duely Elected, is an Arraignment of his Conduct, and an Accusing him of Partiality in that Affaire; but with how much Justice, may Appeare from the Minutes of the Councill booke, by which it is plaine, they were Appoynted by order of Councill

This is an other Instance what Credit ought to be given to what they Represent, and shows how willing and ready they are to sacrifice the Reputation of A Person, who has deserved much better treatment.

It is very true that John Johnston and George Willocks are Proprietors of East Jersey, and the Province of New-York could not be hurt by them, It being much more their Interest to have the North Partition poynt (as is before hinted) fix't where the Petitioners have Placed their Imaginary River, then any of the Petitioners or All of them put together, and that the Commissioners tooke up Lands on the borders of this Province, while this matter was In Agitation or some years before, is a mistake, and the Petitioners have been very much misinformed As they have been In All the following Articles.

That there was any obligation on the Surveyor of New-York to Grant the bond mentioned is an other mistake, for the same was his owne voluntary offer,

and made for this reason, A Little Time After his being Appoynted, and After the Commissioners had gott warrants to receive £120 .. — .. — they were for Agreeing with him for twenty shillings pr day, certaine, which he would not accept; but said he would be upon the same footing with the Commissioners, to have the third of the £300 .. — .. — Appropriated for that purpose, and they having gott £60 .. — .. — A Peece already, If the same could be procured to him, he would give security for the Performance of the work, or to Refound the money, and In case of his death upon the Work, his Executors to retain In their hands so much as should be satisfaction for the work he had done, All which was but reasonable, and not for performance of the Work alone, as is sett forth In the Petition.

It was not with not seeking for the Right branch that the Resolution was taking, of observing upon the ffish Kill, as the Petitioners sett forth; but with very good reason, for before that Resolution, the Commissioners and Surveyors had Information from many, of the severall Branches of Delaware, many of whom were willing to take their Oaths, that there was no considerable more westerly Branch of Delaware, that went near so farr North as the ffish kill, but not being willing to trust to that, John Harrison an East Jersey Man, and A considerable Proprietor there, and no Proprietor of West Jersey, (and his being so was rather the best qualification In the World for him to find a Westerly Branch) was Pitch't upon, and Agreed with, to go and view All the Branches betwixt Delaware and Susquehanna River.

And It was no loss to have observed upon the ffish Kill for If the Latitude had been found there, and no more Westerly Branch found, there would have needed no more than to have run A true West Line to that more Westerly Branch.

Its an other mistake, that upon Cap^t: Harrison's return, his Report was, that there was no Branch to the westward of the ffish Kill, for In his Report he gives an Accep^t: of several, with Each of their breadths; but there was not one of these Above 30 foot wide, whereas the ffish Kill at the Station poynt (which as they owne is Above 24 Miles further North than the way Capt: Harrison went) was found by measuring to be 462: foot over and widens much below that.

As to any Branch that could be betwixt the Place that Capt Harrison went from & the Station poynt the River was particularly search't by the Com'issioners themselves, and no considerable Branch they found, but one of About two chains over at its mouth, which runs to the West and South, and which even Capt: Harrison Crost In his way, he being Assured It was the same from the Information both of Indians that he mett with, and of the Whiteman that was his guide, who had gone from that Place where he Crost it downe In Canoes to the ffish Kill, and besides It is not Likely that A Branch of two chains over, should run more Northerly, than one of 8 chains over, and which is much deeper, and At the same time a very Swift streame, seeing that the ffish Kills course is Generally Nor-westerly, and that Branch goes out to the West & turns to the Southward.

There was not one of the Jersey Commissioners at Madam Corbitts during the time that the Surveyors together took any observation there, Its true that M^r: Willocks came According to his Appoyntment with the other Commissioners, after Capt. Jaratt had taken observations Enough, and was gone to York, and was present at some observations made by M^r: Alexander for his owne diversion; but no one observation was taken by Capt: Jarret or Mr: Alexander after Jarrets returne.

Its true there was A difference of four Miles in some

of the observations at Madam Corbits; but from thence It cannot be Inferr'd that the Instrument is Erroneous, for If the Object Glass of the Telescope of the Instrument be not so Plac'd, or that the axis of the Glass is coincident with the Rays of the Sun shining thro' the Telescope, there will be a variance, which to do Exactly, is beyond the Art of Man to do, but what ever that differs from the truth may be found out, by only Inverting the Telescope, and the difference between that and the former observation halfed and added to the least, and substracted from the greatest gives the true observation, which every one that is tolerable vers'd In the Knowledge of Glasses Knows to be true, and this method was followed at Mahachemath, and Capt. Jarret Acknowledges this to be the reason of the variations, but can't conceive whats so Notoreously Known, And James Alexander does positively say, that he has observed with All the parts of that Instrument, and that the meane of the severall observations at the same Place of the Quadrant with the Telescope both ways doth not differ one from another Above one minute and A halfe; What they say is Evident beyond contradiction, is ridiculous In it selfe, and proves beyond contradiction that the Petitioners Know nothing of the matter, for the difference of the Observations between the ffish Kills & Madam Corbitts no more proves that the Partition poynt is Plac'd foure miles to the North-ward, than it does that its foure miles to the South-ward.

We presume that the Petitioners don't know the difference between the Radius and Diameter, for many of them have seen it, and could never mistake so far as to call 22 Inches Radius as that Instrument is but 22 Inches Diameter If they did.

As to Arguments offered against the Act we know not what they are; but If we may depend upon the Information of those, who we beleeve Know much

more of that matter than any of the Petitioners, they are not Esteemed of weight sufficient to answer the End Intended by them, and are In no Likelihood of procuring the Repeale of it; And we are Induc't to believe our Information, not only from the Nature of the Act; but from the conduct of the Governour who would not have Recom'ended the Passing An Act of the Like Nature to the Assembly of this Province had he been under the Least doubt of the disapprobation of that at New-York, nor do we concieve the consequences Attending such Repeale with Respect to this Affaire can be any other than Refunding Into the Treasury the money spent on This occasion, for we Presume the Lines and boundaries of this Government may be Ascertained, without the consent of that Assembly. If any Persons will be at the charge of it, and that your Honour or such Person, as shall be Intrusted with the Government of this Province will be both willing and Able to protect us in the Enjoyment of our Civill Rights.

They say that by runing the Line the Petitioners will be In danger of being Incroach't upon; *being In danger of being Incroach't upon* is a reason they should have blush't at. If they could have made out, they should be Incroach't on, it might have had some weight; but surely they never could so farr flatter themselves with the hopes of putting a stop to an Affaire of this consequence by their being In danger of being Incroach't upon: Except they had good Assurances, that say what they would, it should be Effectual, as we are pretty well Asured they had, and shall be Represented In its proper time and Place.

The Petitioners cannot say they would be Incroach't upon If the Line was truely Run; they making no pretence to Land in Jersie, so that they durst not offer that; and If it was not truely run, Jersie might be In danger of being Incroach't upon as well as the Peti-

tioners, and the Naturall Petition on that head, should have been, that the utmost care should be taken to run it truely, and not to put A stop to it.

They make A Flourish of the Justice and Indulgence of the Crowne, which we make no question, All his Majesties good Subjects will at All times feel the proper and good Effects of According to their demeanour; but what they mean by Justice & Indulgence here, is the conduct of the Person Governour of New-York at that time, and is Quite different from what they are pleased to call it, and we perswade our selves to Just and Impartiall men, will Appeare to be what it really is, to make which Appeare we Humbly Pray your Honour to recieve the followeing Information, some Dutch ffarmers wanting Land, pich't upon A Place call'd Tappan and Applied to Coll: Dungan who being Informed, the Land they had Pitch't upon lay mostly in Jersie, Us'd his Endeavour to Alter the Station by him so Solemnly Agreed on, and prevail'd on the Surveyor of New-York and West Jersey to Joyne In making the Report In the year 1686 mentioned before to which they could never gett the Surveyor of East Jersey to Joyne; After or About the time of that Report he Grants the Lands desired to the People of Tappan for the consideration they made him, which Lands Lay mostly In the Jersies, and they settled downe by vertue of these Grants, and by the countenance of that Governour (who had the Vrs Major) held them and do so to this day. Some there were who held Lands by Jersey Rights within this Grant, and these were forst to comply, and take new ones from that Government, which he gave for the full Quantity they held before, but to one of them who held from Jersie A considerable tract of Land, which would Interfere with his Grant to Tapan, and who he was loath to disposess altogether, least it would shake his New Settlement, and bring the Validity of his Titles In

question, and thereby lay him under the necessity of Refunding the money he recieved, he made A Grant for the whole Land, and both the Pattents of Tappan & Lockarts Lying In the office together, he ordered a days Prior date be put to the former, which was not discovered till long After, and so they hold the Land to this day, and what disputes, that has occasioned between Corbitt and Meritt is no Secret.

This giving a way of the Jersie Lands contrary to the most Solemn Agreements made by himselfe as before, and In this manner is the so much magnified Justice and Indulgence, and how farr it deserves those Epethets may one day be determined.

They come at Last to proposals and offer to be at half the charge of an Instrument proper and large Enough to be Approved and Attested to be true and Exact by Able Artists, and the obliquity Setled &c: As to the obliquity Enough has been said Already to shew the weakness of that poore pretence, and As to the Instrument, they neither tell what Instrument they meane, by A Proper Instrument, nor how large is large Enough, nor who these Skillfull Artists shall be that are to try and Attest it; but having reserv'd to themselves a Power of Adding, Altering or Amending, we suppose they'll think that Reservation gives them an Authority proper & large Enough to make use of when this (Non such) Instrument arrives to Render it as wholly In-Effectuall for the purposes of Ascertaining the Station as they have Endeavoured to do this, for there will be A necessity of certifying that these are Skillfull Artists, and those that Certifie them such, will need an other certificate to Certify their Judgements, that so certifies, and so on, and Notwithstanding such Certificate of the Correctness of the Instrument it won't be safe to proceed upon it till its tryed here and Known to be so, or how to Correct the Errors of it, In case its' not, And If so

such certificate is needless, and with this good Instrument, there may and will differences happen In the observations, In different parts of the Instrument, and All that can be said on it (though confest to be true) will not prove satisfactory to any Person Resolved not to Proceed and one & one stroke of Cant that he cannot in Conscience proceed to determine the Latitude; by that, overthrows the whole Affaire, and puts things Into the same condition, they are at present, which is All that we Expect from the Petitioners or their proposalls, though we shall be Always Ready to comply with Sincere, Just and Practicable proposals when ever they Appaere, from the Petitioners or any Else, some of which we think to be, that the Commissioners and Surveyors proceed According to the directions of the Legislature their oaths and Commissions, till they finish the work, And If any or All of these will not or cannot proceed, that some others more willing able and Knowing be sought out that both can and will; That the Commissioners and Surveyors of the Provinces concerned In the Station poynt on Delaware meet, and try to find the defects of the present Instrument (If any such there be) and If they can Amend them, and Rectify any Error occasioned by them; That If they think it Impracticable by that Instrument to determine the Latitude, that then they stop their proceedings till they gett one by which they can; but that it be not stopt upon the bare whim or Creditt of any one Visionary among them.

These proposals are what we Humbly concieve to be Just and reasonable, and what we hope will be complied with; but If the opposers of this good work persist In their Endeavours to defeat and Elude the good Intent of those Laws, made on that behalfe, And A stop is put on ye side of New-York, without the consent of the Rest concerned we become Humble Supplyants to your Honour that It may be done on the

part of Jersie, for which we shall be ready and willing to defray the Expence.

As to Capt Jarret his whole conduct while concerned In that Affaire gave but too visible Indications of his Attachment to that party whose Endeavours have been to prevent the Runing of these Lines; so that little less was Expected from him than is come to pass, and we reffer him to that conscience he seems so tender of, which will not faile faith-fully to lay before him the true motives that prevail'd upon him to make that pretence, and with As Great A Deference to him as he has to that, take leave to observe that Tapan Creeke does not lye two minutes to the Northward of the Place of observation; we are Informed hardly one; and that Younkers Mills Lyes about six Miles to the South-ward of it, as we are Inform'd: And If so Even this Extreame of between 2: or 3: minutes to the South-ward of the Place of observations cannot reach these Mills; this is a matter he can Easily determine, If his conscience is not disposed to contradict his Eyes.

Notwithstanding that Capt Jerrat says there is A wide variation In the observations to witt of between 4 &: 5: minutes, yet he is carefull to avoyd saying that the Instrument is Erroneous, for he is sencible that the best Instrument that ever was, may differ twice that Number of minutes In the observations, And At the same time be perfectly good (viz', as good As mans hands can make it) for it's tenn thousand to one If the Glass grinder do so grind the object Glass and center it, and the Instrument maker so Place it In the Instrument as to make the Axis of the Glass perfectly coincident, with the Rays of the Sun which If they do not Exactly (and to say its Exactly is beyond Mans Art) there must be a Refraction of the Rays which made Astronomers As particularly Bulialdus upon the first use of Telscoops to such Instruments, say that

Glasses were not at All fitt for such Instruments because we could never know whether the Ray came directly or Refractedly to our Eye, and no doubt they would have soon been disused, If A method had not been found out to discover that which since has been, and which perfectly shews whether A Ray comes directly or not and (If not) Exactly how much it is Refracted, and that is by having the Telescope moveable, so that If by looking thřow it one way, you find your Object of one height, so much as this is too high or too low, you can find out, by turning the opposite side of your Telescope uppermost, and looking againe to the Object, now so much as the Object Appeared too low the first way, so much must It Appeare too high this way et. E. contra, and of consequence the difference betwixt the two Altitudes, is twice the Error, which halfed and Added to the least, and Subtracted from the Greatest will give the true Altitude. as well as If the Rays had come directly to the Eye.

Now Capt Jarrat is sensible that this is the cause of the variation of the observations, and has owned that, that method of correcting, which is so plaine In it selfe, and which Every one that has any Tolerable Knowledge In Glasses Knows to be perfectly true, is true In Theory, and to be used In Astronomy for ones owne private satisfaction; but thinks its not to be put In practice In this age, not because it will not do, and discover truly the Latitude sought, as If it was perfectly Correct; but because he is Pleased to say, some Estates are at Stake, so that If he should determine with that Instrument he might be lyable to future Reproaches of being brib'd or byast, and therefore desires a larger Instrument not to determine the matter with more truth; but to vindicate himselfe from the Aspersions of being bribed or byast, what suggested that thought he best Knows. and from this he may guess, how Likely the success is to answer the Expectation.

We are not surprised at this from him but very much so at the Report of the Gentlemen of his Majesties Councill of New York, who advise that Jarret should be directed to Certify by some Instrument under his hand and Seale that the Station pretended to be fix't at the ffish Kill is wrong and Erroneous, to the End, that Province might not at any time receive any prejudice by A Tripartite Indenture Executed by the Surveyors and Commissioners &c; before the defects was discovered.

The reasons which upon the whole matter Induced them to give this Advice are as Extraordinary, and with Due Deference to the Characters of these Gentlemen amounts to no more then an Implicite dependence on Jerrats word without any Prooffe or reason given for the truth of what he says.

That is to say *Jarret was made choice of as the Ablest Mathematician* has by the declarations In his *Petition and Assurances before them* of the Defect of the Instrument,

*And has Also declared that the methods proposd by Mr Alexander are not satisfactory to him.*¹

Wee Humbly Submitt to your Honours Judgement whether this is any more Either In words or meaning, then that Jerrat said so, Jarret says the Instrument is defective, and that he is not satisfyed with the methods proposed by Alexander (and therefore)? Is this Ground sufficient to set aside All that has been done, and Elude the good Intentions of two Provinces upon the Creditt of A man which for any thing they Know may be In the wrong, and In All probability is so, they say he declared so In his Petition, and Assured them so, there is nothing Like it In his Petition, And Alexander Pretests he does not Remember that Ever he told them so, he Indeed tells them of wide differences of observa-

¹ Words of the Report.

tions; but that does not prove a defect In the Instrument, that may happen many ways, and the Instrument be good Enough, has Jarrat said these differences proceed from the defect of the Instrument, or given them any Prooffe that it is so? or will he presume to say so? If he does we desire he may be Askt upon his oath (for his conscience may gett the better of his Memory) whether he tooke any of these observations himselfe at Corbitts. that made this discovery or saw them taken, or Knows anything about them, but by Information from another? and we advise him In this Case to have some Regard to his Memory, because there are Men alive that Knows In what part of the Province he was at that time, and we desire these Honourable Gentlemen together with their Petitioners and M^r Jarrat to give any Prooffe If they can, that this difference of observations proceeded from the defect of the Instrument. and not the mistake of the observator, and such A mistake, that for any thing they do or can Know might have been Rectified by the Penetration & Quick sight of their Able Mathematician Jarrett, had he been present. And We Humbly submitt it to the Calmer consideration of these Honourable Gentlemen, whether it had not been more prudent as well As Just, when that pretended discovery was made to have Referr'd it to the Examination and Report of the Commissioners and Surveyors of All the parties concerned who were Intrusted with it, and whose proper business it was, then to have made A Report themselves with so much precipitation, In A matter that not one man of them are Competent Judges of.

These Commissioners & Surveyors were upon Oath and If upon Examination, they had found that the Station had been wrong fix't would have Rectified it, And In case the Instrument had been so defective, that they could not with it, do what was Intended,

they would have said so, which would have been Authoritative and conclusive.

But further Jarret declared what Alexander said was not satisfactory to him, It may be so, nor to the Gentlemen before whome he was, this is A very grave and short way of answering any thing; but can these Gentlemen be Assured that Jarrat spoke truth, or what that dissatisfaction proceeded from, whether for want of Argument on the side of Alexander, or Capacity on the part of Jarrat, If they say the first, then they needed not to have used the Authority of Jarrets declaration but have determined upon their owne Judgements, which we presume would have been upon better reasons then a say so.

Such are the reasons, and the advice is corespondent, they advise that Jarret be Directed under his hand and Seale to give the Lye to himsele, and All the parties to that Indenture, and upon his single Authority to certify that the Station at the ffish Kill (which they Already call A Pretended one) is wrong, here are two Acts of Assembly, that make the determination of the parties to that Indenture binding upon both Provinces, here is a Committee of the Councill of one Province take upon themselves to overthrow this by A Certificate of one Man (without prooffe or collour of reason but his say so, and that as he must owne, not from his owne Knowledge, but from the Information of an other) to make that determination binding upon neither, how farr the Success will answer those Endeavours time will discover.

M^r Alexander being Present at the Comittie we have desired him to say what he thinks proper to these matters and is as followes.

James Alexander declares he does not Remember that Ever Capt: Jarret said upon the spot that he could not rectify the wide Errors of the Instrument nor take upon him to fix the Station by it, the same varying so much In it selfe.

He Remembers Indeed that he was very Capricious In this matter Ever since he went to Mahackemack & Especially After the News of His Excellencies departure laying All the Blocks In the way that Ever he could Invent, making Mountains of Mould Hills as In this case, and what-Ever dissatisfaction he shewed with any of the observations when he came downe to York (After the last observation he Ever took with it) he declared himselfe to be Perfectly satisfied with the Instrument, and perfectly to understand how to Reconcile the observations, which was upon Thursday the thirteenth day of August, and we Expecting the Commissioners up the next day, I was very loath he should go downe to York; but he said he wanted no more observations, and that the next day he would come up with them and settle the Station, but Capt: Walters being Sick, the Commissioners thought fitt to delay the time of meeting for A Week, so upon the Munday he came up Againe and paid me the Complement of saying he Just came up to Acquaint me of it, and to bring me downe, M^r Willocks being there, we three Adjourned the time of meeting, till the seaventh of September, and I went downe to York with Capt Jarret, and we caryed the Instrument along with us, having no further to do with it there, he seeming still perfectly satisfied as before, In the beginning of September I saw him severall times, and he having the gravell declared as soone as he was Able, he would be ready to go up and finish the work: And I never heard of any dissatisfaction he had till Coll: Hicks came to Towne for to go upon the Line about the seaventh of September, and I then being Sick, Coll: Hicks and Capt: Walters came to see me and—told me that Jarret was In an other of his mad fitts and was saying to Every-Body the Instrument was Erroneous, and that it differed four or five minutes, I told them that I Knew and he Knew that long ago, and that the Instru-

ment was not one pin the worse of that, but I could scarcely think he was In Earnest.

And further I being present at the Comittie of the Honourable the Councill of New-York I dont Remember that Capt: Jarret said further to the Com'ittie concerning what he told me at M^{rs} Corbits, than that he was dissatisfyed with these differences, and y^t he told me of it before severall People, and I think it was upon Interrogatories Afterward made by the Committie, that he declared he could neither Rectifie the wide Errors of the Instrument nor take upon him to fix the Station by it.

When Ever an other Instrument of five or six foot Radius does come, tho at the same time it be A very good one I could Venture to Lay the Price of that Instrument with Capt: Jarret, that there will be four or five minutes difference In the observation that shall be taken by it, and for the same reasons, then, he cannot Adventure to setle the Latitude by it, and of consequence never.

It is impossible for the Art of man to make An Instrument Perfectly true and Correct, and If the Line be staid till one be Certified to be so by Able and Skillfull Mathematicians from Great Brittain, It will be staid for-Ever; for the most that Able and Skilfull Mathematicians can do is to find out the Errors of it, and give A table of Equations how to Correct it which Capt Jarret If he will be but at A Little pains may Easily make himsele for this Instrument, and for the same reason that Capt. Jarret wants one now of five or six foot Radius when such A one comes, he has as much reason to say the work wants one of Eleven or twelve foot, and so on to twenty three or twenty four foot Radius.

Upon the whole, though it must be confest to be the Interest of both Provinces that these Stations be fix't, and the Lines Ascertained yet we think they ought to

be done with Justice and truth on both sides, and It being Possible there may be A defect In the Instrument, though no manner of Prooffe yet Appeares for it, we hope the Councill who have not yet Approved of the Report of the Committee will suspend any Approbation of it till the Commissioners and Surveyors have Examined Into that matter made their Report on it, and that they doe it with All proper Expedition this we pray your Honour will be pleased to signify to them.

By order of the Councill of Proprietors

J. BARCLAY Dp^t Regs^{tr}

Perth Amboy October the 12th 1719

From Colonel P. Schuyler, President of the New York Council, to the Lords of Trade—relating to Surveyor Jarratt.

[From N. Y. Col. Docts., Vol. V, p. 532.]

New York 31 Oct 1719

May it please y^r Lord^{sps}

[Extract.]

I send * * to your Lordships a Copy of a Petition presented to me by Allane Jarret the Surveyor appointed in behalf of this Province for running & ascertaining the division line between this Province & the Province of New Jersey with the Councils Report thereupon to me by which your Lord'sps will perceive there is a present stop put to those proceedings & unless I should compel him against the advice of the Council to proceed notwithstanding his Petition it could not be avoided & I do not see that I could Justify such proceeding against express & positive declarations without offering an injury to his conscience and exposing this Province to all the wrongs that may

consequently follow upon it besides the money given for that service is more than exhausted already by the issues first made & the demand now brought in. I take it to be a work of great importance to the King in which his Quitt Rents Lands & the property of his subjects are concerned and I had rather be over cautious than rash in such affair which is intended to be forever binding tho' I find the Proprietors of Jersey are much exasperated and I hope that before any resolution be taken timely notice will be given that both the Government here on the behalfe of His Majesty & the Proprietors of lands holding under Patents from this Government may lay before your Lordships what they have to say when they are thoroughly informed of the Proceedings of the Jersey Proprietors presuming they will make their application to your Lordships.

* * * * *

Colonell Graham the late Surveyor General of the Lands of this Province being lately dead I have ordered a commission to be prepared appointing Allan Jarrett whom I have before mentioned, a person agreed on all hands to be most capable of any one in the Country so recommend'd to Governor Hunter who appointed him Surveyer for ascertaining the Bounds between this Province and Jersey & a man of a very fair reputation for honesty & integrity & sound understanding.

I am Y^r Lordships

Most humble & obedient Serv^t

P. SCHUYLER.

*Petition of Inhabitants of New York to the Council
there—relative to the Survey of the Partition Line
between that Province and New Jersey.*

[From P. R. O. B. T., New Jersey, Vol. II, D 98, and from N. Y. Col. MSS., Vol. LXI, p. 191.]

To The Hon^{ble} Peter Schuyler Esq^r President
and the rest of his Majesties Hon^{ble} Coun-
cill for the Provinces of New York

The Humble Petition of Severall the Inhabi-
tants of the Province of New York for
themselves and others Owners and Proprie-
tors of Lands Bordering upon the Partition
Lines between the Provinces of New York
and New Jersey

Sheweth

That the Assembly of this Province having Appropriated the Sum of £300 for Defraying their part of the Charge and Expence, in Ascertaining and Running the Partition Line Limitt and Boundry Betwixt this Province and the Province of New Jersey, The Petition^{rs} had Reason to hope so great a work would have been Carryed on and Accomplisht with such Reciprocall Justice and Equality that Neither side would have Reason to Complaine. But having Grounds to Apprehend that a Due and Equall Regard has not been had Either for the Benefitt of this his Majesties Province in Generall or for us and others his Leige Subjects, that have an Immediate Interest on the Borders of that Line, They beg leave to Lay, before yo^r Hon^{rs} a State of that Case and the Reasons of their Just Apprehensions Reserving to themselves the Liberty of Adding what shall farther Occur to their Knowledge, And of Amending and Explaining what is herein Sett

forth which they most Humbly offer in the following Manner (viz^t)

That by the Dukes of York's Grant to the Proprietors of the Jerseys They were Bounded in the Latitude of 41: & 40 Minutes on the Northernmost Branch of Delaware River and on Hudsons River in the Latitude of 41 Degrees and as this Grant was made in the Year 168 . . ¹ They Conceive the Tables then in use ought still to be the Rule in Settling those Latitudes By which Tables (As they are Credibly Informed) the Obliquity of the Ecliptick was Universally Allowed to be 23 Degrees and 30 Minutes, That by a Draught of Geo. Keith then Survey^r of the Jerseys (ready to be Produced) he Lays Down the afore Mentioned Northernmost Branch of Delaware River about Twenty five Miles to the Westward of the Fish Kill; That in the Year 1686 the Survey^{rs} of New York and the Jerseys by Consent of the Respective Governors Ascertained the Latitude of 41 Degrees on Hudsons River to be due West from Frederick Phillipp's Lower Mills That Coll: Andrew Hamilton Gov^r of the Jerseys afterwards did own the said Latitude of 41 Degrees on Hudsons River Conformable to a Mapp by the Survey^{rs} to be Due West from the said Mills as by Writing under his Hand Dated the 13th of February 169³/₄ and ready to be Produced may Appear at Large, That those Petition^{rs} who held Lands to the Northward of that Line by Virtue of Grants or Patents from the Jerseys had by the Justice and Indulgence of this Gov^r New Grants for the same and at Easier Quitt Rents than what they were to have Paid to the Proprietors and others having by Lycence of the Jerseys Purchased Lands from the Indians and sueing for Pattents Conformable to those Purchased were Directed to take Pattents from New York, Those Lands Lying to the Northward of the Station then fixt, That after the before Mentioned

¹ Torn off.

Act of Assembly was past here, An Act of the like Nature was made in the Jerseys and John Johnston and George Wollocks Esq^{rs} were Appointed to be Commissioners who are Known to be Proprietors and to have taken up Large Tracts on the Borders, whilst this Affair was in Agitation

That when it was Proposed to Name Comm^{rs} for this Province, The Gentlemen of the Councill (as they are Informed) were Generally of Opinion (Except those Gentlemen who are Proprietors of the Jersey) That Wee Ought to follow the same Rule (to witt) in Likewise Appointing such Persons as had an Immediate Interest in Lands Bordering on the Line, That Notwithstanding (as they are further Informed) The Gov^{rs} Commissionated Robert Waller and Isaac Hicks Esq^{rs} and th^o Wee have a due Defference to the Characters and Reputation of those Gentlemen, Wee Conceive they were not Duely Elected because an Act of Assembly Directs that they should be Appointed by the Gov^r and Councill.

That the Survey^r for this Province Allane Jarratt (being Approved of by the Councill) was Obligated to Execute a Bond for a £100 Conditioned to Settle the Stations and Run the Lines and Since this was (As they are Informed) Demanded at the Motion of the Jersey Gentlemen And that neither their Survey^r nor any of the Comm^{rs} had the like Required of them, It may Reasonably be Concluded this was Exacted with a View of Laying him Under a Necessity to fix the Latitude rather to the Disadvantage of this Province Than Subject himself to the Penalty of said Bond. That the Com^{rs} and Survey^{rs} of both Provinces Setting out from this City Went Directly to Maquacamack and Mannassincks Where they Mett Some other Gentlemen of the Jerseys, And without Looking for the right Branch, or Tracing of them (and Indeed almost everybody Lookt upon the Season Improper for so

Doeing) They Immediately took Observations then, Just as if they were Resolved to Fix the Latitude on the Fish Kill, P'haps with a View to secure for the Jerseys the Low Lands at the Two Places above Mentioned Which Could Scarcely be Drawn in if the proper Branch had proved so far Westward as Keith Draught Lyes it Downe, That alth^o such Foggy Cloudy and Rainy Weather happened at that time for about 25 Dayes Succession as the like at that Season was not Known in the Memory of Man (Just as if heaven frowned on the Designs) They Fixt the Latitude upon the Fish Kill near a small Creek which they Termed Station Brook Notwithstanding they seemed satisfied that the said Fish Kill is the Maine River of Delaware it selfe, which Latitude was taken at the Ends of the Small Instrument they made use of, and tho' *An Indenture* was Executed of their Proceedings there, They have been so Just therein (as we are Informed) As to say that their Discovery was by Information, That Indeed the Com^{rs} sent Cap^t John Harrison a Jersey Gentl. to look what Branches there might be betwixt the Rivers of Delaware and Suskehanna, Who upon his Return Reported there were none, Tho' he was heard to Own that he Mett with One so Wide and Deep that he was Obliged to make a Float before he could get over it, And Wee are Credibly Inform'd that Severall Christians are Ready to Depose there is One or more Considerable Branches to the Westward of the Fish Kill, which it is possible Cap^t Harrison Mist by Reason he set out about 24 Miles to the Southward of the Latitude, That after the said Latitude was Fix't on the Fish Kill in the Manner before Mentioned, The Survey^{rs} and only the Jersey Com^{rs} went to Madam Corbetts and made Repeated observations there, But in so Doing a Discovery was made that the said Instrum^t was Erroneous, For that the Latitude taken at the Middle differed above four Miles from those taken

at the Ends thereof, And since at the Fish Kill use was made of the Ends tis' Evident beyond Contradiction that the Station pretended to be Fixt there, Is Just so Much to the Northward of the true and Real Latitude as the above Mentioned Difference Amounts to, That Complaints and Demonstrances of such Weight have been offered at Home against the Act of Assembly before Mentioned, That it is Uncertain whether the Same will be Approved or Disapproved of by his Majesty, tho' the same was past here in the yeare 1717 and it is Certain that in Case of a Disallowance every thing Done by vertue of that act will be void, But tis Impossible to foresee what Confusion and Mischiefs might Insue if this Affair should be Completed and the said Act Rejected at the Same Time

That the Fixing those Stations and Running the Line in the manner it has hitherto been Carryed on, Not only the Crowne but likewise many of yo^r Peti^{rs} will be in Danger of being Encroached upon, And tho' many of us have spent their Labour and Substance upon their Severall Improvements for 30 or 40 years past, There Seems but Little Reason to Expect (in such Case) the like Justice and Indulgence would be Shewn by the other side as was heretofore Extended on the Part of this Province (as is hinted above)

For these and Severall Reasons more Especially for the Minutenest of the Instrument (Being but 22 Inches Diameter) and its Varying so Considerable in its Self Yo^r Petition^{rs} offerr they will readily be at halfe the Charge of an Instrument to be sent for from London Proper and Large Enough for Settling and Fixing the true and Exact Station Points Which Instrument being first Tryed and Proved by Able and Skillfull Artists at Home and Attested by them to be true and Correct; And the Obliquity of the Ecliptick Settled as it was Universally Received when the Grant was made to the Proprietors all Partys must then be Concluded by such Determination.

Your Petition^{rs} therefore most Humbly Pray that the Com^{rs} and Survey^{rs} of this Province may Severally Deliver in a Journall of their Proceedings hitherto had that Wee may be favoured with Copys thereof, And that all further Proceedings may be Stayed untill his Majesties Allowance or Disallowance of the above Mentioned Act of Assembly is first Signified and untill such an Instrument Arrives here as is above Described

And Yo^r Peti^{rs} as in Duty Bound shall ever Pray &c

[The record of this document, in the Secretary of State's Office at Albany, has between forty and fifty names appended, nearly half of them of persons who made their marks and many of the others being illegible.]

Letter from Colonel Schuyler of the New York Council to the Lords of Trade.

[From New York Col. Docts., Vol. V. p. 533.]

New York Nov^r 21, 1719

[Extract.]

My Lords

I forebore to Trouble your Lordships with a Petition from the owners of Land in this Province bordering on the lines of the Jerseys because I was in hopes the Gents of the Councill, to whom it was committed would have made a Report thereon that I might have transmitted both together but since some of the Jersey proprietors have presented a long memoriall to the President of that Province which I presume they either have or will send home I conceive it my duty to enclose a Coppy of said Petition that your Lordships

may be apprised of the weight & validity of the Allegations contained therein which the Petitioners offer to make out except the mistake in the date of the Dukes grant, when the Council have made a Report on that Petition & the Petitioners their Remarks on the said Memorial, they shall be transmitted in like manner.

I hope that in the mean while no solicitations of the other side may obtain any order to the Prejudice either of this His Majestys Province or of its Inhabitants, untill they are first fully heard thereon

As I conceive they are of Right entitled hereto I should have look^d upon myself Remiss in my duty if I had not taken the liberty to recom^d this to the care of your Lp^s & I flatter myself it will have its due effect.

I am My Lords, Your Lordships mo humble S^t

P. SCHUYLER.

Letter from Lewis Morris, President of the Council of New Jersey, to the Lords of Trade—about boundary line and other New Jersey affairs.

[From P. R. O. B. T. New Jersey, Vol. II, D 97.]

Letter from Coll. Morris, Presid^t of y^e Council,
of New Jersey, Reced 24th Dec^r 1719

Perth Amboy Novemb^r 21: 1719

My Lords.

I am doubtfull, whether the clerke of the councill can get the minuts Coppyed, to Send your L^{ps} with this Ship: which I am told will saile on the 23^d It was in the time of harvest, when his Excellency left New Yorke and the councills Private affaires could not well admit them to meet sooner (without great hurt to themselves) then the time I first called them together.

The Assessors of the Publique taxes, had neglected their duty: and I found the Act of Assembly which directed the raising of them, to be so loosely worded, that I durst not venture A Prosecution of them; So I put as good A face on the matter, as I could; Sent for the Assessors. And after hearing their reasons, for neglecting (which did not want weight) I reprimanded them and found a way, to make them believe they were very much favoured, in Scaping A Prosecution; and then Issued the Inclos'd Proclamation.

The Successe, has hitherto Answer'd the Expectation: and I am in hopes will prove Effectuall, for what it was Intended without using any method more Severe; which I am afraid, will be impracticable in this Province as we are now circumstanc't, let the necessity be never so great Enemyes of the publique peace (as Brigadier Hunter can truly Informe your Lordships) having had so great an Influence that whoever commands here can do little elce, but threaten: unlesse he has aid from without.

I have reciev'd two letters, one from your Lordships of the 7th of August last, and another from M^r Secretary Popple of the 26th of the Same month; in the first your Lordships desire to know the Limmits and boundaries, of the Province of New Jersie, which are as follows.

It begins on Hudsons river, in the latitude of fourty one degrees, and runs from thence, in a direct line to the latitude of fourty one degrees And fourty minutes on the northermost branch of the river Delaware, then it runs downe, following the course of the river Delaware, to Cape May: w^{ch} is the northermost point, on the mouth, or Enterance into that river, which there, and for many leagues up, looses the name of Delaware river, and is call'd Delaware bay. from Cape May it Extends Northward, along the Sea to Sandy hooke; and from the northward of A great bay call'd Sandy

hooke bay (into which the rivers of Hudson, Rariton, Hackinsack and Pisaick, empty themselves) it Extends along the river of Hudson, to the latitude of fourty one first mentioned.

It is bounded on the South East, by the Sea and on y^e East, partly by the Sea, and partly by Hudsons river, which divides it from part of the Province of New Yorke. on the north East by the Province of New Yorke; A direct line from the latitude of fourty one degrees, on hudsons river, to the latitude of fourty one degrees and fourty minutes on the Delaware being the line of Partition between them. it is bounded on the South, Southwest, and west, by the bay and river of Delaware, which divides, it from the Province of *Pensilvania*.

The best Voucher I know of, for these boundaries, is A grant from the late King James when Duke of Yorke, to my Lord Barclay and Sir George Carteret: which I think is Enrolled in Chancery; if not; the Jersie Societie, can (I suppose) furnish your Lordships with it, or, if your Lordships thinke it necessary, I can get it taken out of the records here, and transmit it to you.

What course the line of Partition (that divides New Yorke from Jersie) will run, is not yet Determin'd; and till that is done, I cannot Send your Lordships A correct map of this Province, but I'll Endeavour to get one, as good, as the present circumstances will Admit.

The Ascertainig that Partition line is All most of Absolute necessity; the few people that Inhabit, nigh some parts where its Suppos'd t'will run, are continually Quarrelling; they cut & carry away whole fields of corne, from Each other and do all the mischief they can, Short of killing one another: and I believe it will not be long before they come up to that.

The only thing they agree in, is not to pay any pub-

lique taxes, and the measures they take, render them as unable, as they are unwilling.

the Legislature, both of this Province and New Yorke, have been so farr convinc't of the necessity of Ascertaining that line, that money has been raisd, and publique Acts passt, for that Purpose; (which I presume has been Long Since laid before your Lordships.) by Virtue of which, commissioners, And Surveyors were Appointed, And had Entred upon, And made great progresse in the worke, before Brigadier Hunter left America; and had he stayed Six weekes Longer, in all probability it had been finished: but his back was no Sooner turned, than a Stop was put to it, for the reasons given, in the report of a committee of the Councill of New Yorke, upon the Petition of one *Jarrat* appointed Surveyor for the Line on the Part of New Yorke; & the Petition of others to be concern'd

They are herewith Inclos'd and a long Memoriall of the Proprietors of Jersie to me, in answer to them. to which, I humbly beg leave to referre your L'ps. All I shall observe on them is, that I know there was Such an Agreement, between the Governours of New Yorke and Jersie, as the Proprietors mention for I was present though but young.

I have reason to believe, that some of the Councill of that Province, have taken up Large tracts of land in Jersie, to the Southward of that line, by virtue of Grants from New Yorke; which; Grants were, for Land in New Yorke, and not in Jersie: and bounded by those Grants, on the division line: though tooke up by the Gentlemen much to the Southward of it.

None of the Gentlemen of the Councill Appeares to the Petition; but some of the Petitioners (If I am not Verry much missinformed) derive by mesne conveyances from them, or, are in partnership with them; and the persons that Subscratch their marks are Some Inhabitants of tappan, brought in, to make up an Appearance.

They are using what Endeavours they can, to get tennants to Settle: and thinke themselves secure enough in the possession, as long as they can defeat the running of that line; and as things are now circumstanc't, they will be capable of doing it; which makes the *Proprietors*, (who thinke themselves much Injur'd) verry Pressing with me, to run it on the part of Jersie.

I humbly begg your Lordships Directions about it.

I have communicated M^r Secretary Popple's letter, to the councill: and Shall Issue a Proclamation, that the manufacturers of tarre, may know the conditions on which the premium will be paid; which I hope will prove Effectuall, to prevent the great abuse of that commodity, in Jersie

The *Russian* method of barking, or something like it, has been tryed by Brigadier Hunter; but I thinke without Successe.

I have seen the chipps of some of the barkt trees, Sent to him (and I suppose of the best) which were good for nothing; but whether that was Owing to the heat of the clime, or a wrong method I wont Presume to determine.

I'll make an Essay on A few trees, and let your Lordships know the Successe.

Hemp may be easily raisd in great quantities in this country: but we do not well understand the managery of it.

I humbly submit it to your Lordships consideration Whether, if a few families, that understood it, were plac't by his majestie, on some propper lands in the Province of New Yorke (of which there are great quantities) and oblig'd to attend solely the raising of hemp, it would not be the best direction; and of use.

I have made some changes of Officers, Since the Governour left America, which I have done by advice of the councill; the reasons of so doing, are contain'd

in the minutes of councill. I humbly hope your Lordships, upon perusall of them, will think that I have not done amisse.

The public Occasions made it necessary for new Jerisie as well as New Yorke, to Strike bills of credit, which were by the Acts of the Generall Assembly, made currant, at certain rates in the bills mention'd and for a certain time, which is pass't: but the money raised to Sinke them (should it be duely collected and paid) will not (if I am rightly Inform'd) be sufficient for that Purpose: so that many of them, must remain in private hands; which will be attended, with Ill consequences to the publique credit, if care be not taken to prevent it. A miscalculation by the Assembly, Occasioned this; and I feare, I shall be under a necessity of calling them together, to make suitable provisions, to Support their owne Credit. As nothing but an Absolute, and Evident Necessity, Shall prevaile on me, to meet them, or passe any Act: So I shall Endeavour, my Conduct with them, Shall be Such, as may Induce Your Lordships to think favourably Of:

My Lords, Your Lordships

Most Obedient and Most Humble Servant,

LEWIS MORRIS.¹

Right Honb^{le} y^e Lords of Trade and Plantations.

Caveat of Daniel Coxe—relating to Partition Line.

[From P. R. O. B. T., New Jersey, Vol. III, E. 45.]

Mr Dan^l Coxe's Caveat against an Act of New Jersey, pass'd there in March 1719 for Running & ascertaining the Line of Partition

¹ LEWIS MORRIS. A brief notice of the President of the Council, upon whom the Government of the Province now devolved, will be found in Vol. II, p. 217, but a reference to subsequent pages and to those that are yet to be printed, will furnish

between the Eastern & Western Divisions of that Province, &c.

December y^e 8th 1719

A Caveat this day Entered by Daniel Coxe Esq^t against an Act of Assembly passed in his Majesty's Province of New-Jersey in America, Entituled, An Act for Running and Ascertaining the Line of Partition or Division between the Eastern and Western Divisions of the Province of New Jersey and for preventing Disputes for the future Concerning the same; And for Securing to the General Proprietors of the Soil of Each of the Divisions & Persons Claiming under them their Several & respective Possessions Rights & just Claims. And it's Desired that when the same shall be Layed before the Lords Commissioners of Trade and Plantations, notice thereof may be Sent

much additional information. as to the important positions held by him, and the influence he exerted in the various questions affecting public policy, during his whole life. Colonel Morris, as he was generally called, wrote his name very differently at different periods. The first form met with was

but at the time at present under review he wrote his name

to Said Daniel Coxe at his Lodgings N^o 7 in Boswell Court in little Lincolns-Inn-Fields, he having much to offer against it.

DAN: COXE—

*Letter from President Lewis Morris, of New Jersey,
to Peter Schuyler, President of the Council of
New York.*

[From N. Y. Col. MSS., Vol. LXII, p. 77.]

March 31, 1720

Much Honoured.

Tide and Wind which will stay for no man forces me to hurry away without being able to do myself the honor of Waiting on you before I go w^{ch} I very much regrate having (besides the Satisfaction of paying my regards) to you) the affaire of running the division Lines between New Jersie and New Yorke to settle (If I can) with you.

The necessity of running them is Visible to all not willfully blind or whose frauds and encroachments on Either side have made it their Intrest to oppose it we are both of us told by our Superiors that his Majestie thinks it necessary to know the limits and boundaries of his several American collonies & what directions he has given concerning these under our care, you are no Stranger to; I shall think it my duty in obedience to his Majesties Commands and in compliance wth. the directions of the Legislature in both Provinces to do what I can in order to Settle and discover the limits and boundaries of the Province of Jersie & hope your hon^r will be so farr assisting wth respect to y^e line w^{ch} is a limit to both Provinces that his Majesties commands may be put in Execution and an End put to

the Quarrells and Strifes which almost daily happen between the borderers w^{ch} at Present is a Very great hindrance to the Settlement and Improvement of both Provinces and the Extending of his Majesties Dominion

I am: With very great regard
much Honored Your Very Humble Servant

LEWIS MORRIS.

Honourable Peter Schuyler, Esq^r President of his
Majesties Council for the Province of New Yorke
These.

Letter from the Lords of Trade to Mr. Secretary Craggs, transmitting the Commissions of William Burnet as Governor of New York and New Jersey.

[From N. Y. Col. Docs., Vol. V, p. 538.]

To the Right Hon^{ble} Mr Sec Craggs

Sir

In obedience to his Majesty's Commands, Signified to us by your letter of the 19 of the last Month, We have prepared the draughts of Commissions for W^m Burnet Esq: to be His Majestys Captⁿ General and Gov^r in Chief of his Majestys Provinces of New York and New Jersey, which being in the usual form We herewith transmit the same to you in order to be laid before his Majesty in Council. And we are preparing the necessary instructions for the said W^m Burnet Esq: with all possible dispatch, We are Sir

Your most obedient & most humble servants

Whitehall

May 4, 1720

WESTMORELAND

CHA: COOKE

T. PELHAM

M. BLADEN

*Letter from President Lewis Morris of New Jersey, to
Peter Schuyler, President of Council of New York.*

[From Certified Copy among Papers of F. J. Paris in New Jersey Historical Society
Library, Vol. A, p. 141.]

May 6th 1720

Sir

I have not had the honour to receive any answer from you Concerning what I last wrote to you, about runing the Lines Between New York and Jerseys. When I went to Amboy, I met with Complaints of Riots, that had been committed by Some of the Inhabitants of New York, on those living in Jersey, and the Bearers of this are now before me, with other complaints of the Same nature; and They tell me Judge Walter has been a witness of some of the ill usage they have met with. This Shows the Necessity of Runing that Line, I am at a loss to find the true reason of delaying it; as for the pretended one, of Mr Jarratt's dissatisfaction, I cannot think it ever was Convincing to those who Seemed to lay the Greatest Stress upon it; but that (whatever end it might Serve) ought to be no longer an obstacle; Since an other person is commissioned in his Stead. The Keeping the publick peace, is very much intrusted to us in both these provinces; and the Runing that Line Seems to me, one (almost absolutely necessary) mean to preserve it, and till that be done direction Given to the inhabitants of each Province to wait the Issue without entering into Such Tumultuary measures, I shall be very uneasy to be laid under the necessity of Repelling force by force; and hope your directions to those of his Majesties Subjects under your Government, Will for the future prevent any complaints of this Kind. The Complainants waits on you to Begg you will So

far interpose your Authority as to Give the most Effectual directions you can, that the Borderers on your Side, be Obligated to Keep the King's peace, till the affair of the Lines be adjusted.

Yours

LEWIS MORRIS

Brigadier Hunter's Answer to ye Circular—Queries relating to New Jersey. Received with his letter of 11th of August, 1720.

[From P. R. O. B. T., New Jersey, Vol. II., D 95 and 96.]

Queries for Brigad^r Hunter, relating to New Jersey.

1 st What is the Situation of the Province of New Jersey by the Nature of the Country its' Longitude, Latitude &c th ?	The Proprietarys Patent Nicely Answers this
--	---

2 ^d What are the reputed boundaries thereof?	And this
---	----------

3 ^d What is the Constitution of the Government?	The Patent and Instructions to the Gov ^r make y ^e Constitution
--	--

4 th What is the Trade of that Province, the Number of Shipping their Tonnage & the Number of Seafaring men with their Respective Increase or Diminution?	Little or no Trade of their Own, The town of New York And Philadelphia which take off all their produce Save them that trouble Not one Ship, and but a few Coasting Sloops
--	--

5th What Quantity and Sorts of British Manufactures do the Inhabitants annually take from hence? They have it all from the Towns above nam'd

6th What Trade has that Province, with any foreign Plantations or any part of Europe besides Great Britain? How is that Trade carry'd on? What Commodities do the People in that Province send to or receive from Foreign Plantations? None at all

7th What Methods are there us'd to prevent illegal Trade & are the same Effectual?

8th What is the Natural produce of the Country, Staple Commodities & manufactures? The same with that of New York

9th What Mines are there A great quantity of Iron Some Copper as 'tis Said but I never Saw any

10th What may be the annual Produce of the Commodities of this Province?

11th What is the Number of Inhabitants, Whites and Blacks? They Increase more then these in New York, the Soile being better and the proprietary's more tractable, that In-crease Chiefly from New England and of Late from Ireland

12th Are the Inhabitants increas'd or decreas'd of late and for what Reasons?

13th What is the Number of the Militia?

About three thousand.

14th What fforts & Places of Defence are there? And in what Condition?

Not one of any kind

15th What Number of Indians are there? and how are they inclin'd?

The Indians few harmless and Inconsiderable under Command of y^e five Nations of Iroquois

16th What is the Strength of the Neighbouring Indians?

17th What is the Strength of the Neighbouring Europeans?

18th What Effect have the French Settlements on the Continent of America upon his Majesty's Plantations?

The same panick as at York

19th What is the Revenue arising within that Gov^{nt} and how is it appropriated?

The Act will Shew it and the Resolves determine the appropriation as at New York. That Act Expires Soon

20th What are Ordinary & extraordinary Expenses of the Government?

I must referr to y^e Act Resolves of Assembly

21st What are the Establishm^{ts}: Civil & Military

The Same with that of New York. Only the

within that Government, & what Officers hold by Patent immediately from the Crown?

Chief Justice Instead of Circuits holds his Courts only at the two towns of Amboy and Burlington No patents but the Secretaries and Attorney Generals.

Proceedings of the Council of West Jersey Proprietors—relating to the line of Partition between the two Provinces.

[From Papers of James Alexander, Surveyor General, in Rutherford Collection.]

At a meeting of the Councill of Proprietors held the 12th day of the 6th mo: 1720—

Three of the Managers appointed by the late act of Assembly Intituled an Act for running and ascertaining the line of partition or Division between the Eastern and Western Divisions of New Jersey &c James Logan Thomas Lambert and John Reading being present laid before the Board the necessity there is to dispatch the running the said partition line with all Expedition and have acquainted them that at a meeting appointed by the said Managers with the Managers for the Eastern Division at Trentham in Aprill last and agreed that the running of the said line should be begun as early as possible this ensuing fall and thereupon they did desire the advice of this board touching the appointment of and agreement with the Surveyors and other persons who are to be Employ'd Jointly with those of East Jersey in carrying on the said work. And the same being taken into Consideration it is unanimously agree'd by the said Managers and this Board that John Reading one of the said

Managers shall as Surveyor attend and Assist (on the p^t of this Western Division) James Allexander the Surveyor Generall of the Province in running the said Division line throughout the whole work And that their be allow'd and paid to the said James Allexander as Surveyor Generall on the p^t of this Western Division twelve shillings proclamation money And to the said John Reading the like summ of twelve Shillings of the same money for every working day which they shall spend in the fields or woods upon the said work from the time of their first meeting at litle egg harbour where the work is to be begun and so from time to time for every day they shall so spend as aforesaid untill the running of the said partition line be compleatly finished. Provided nevertheless that they the said Surveyors shall make all the reasonable dispatch they can to finish the said work

It is further agree'd that at least two persons with their horses shall be hired and Imploy'd on the p^t of this Western Division to attend the said Surveyors as chain Carriers Joyntly with those who are to be Provided on the p^t of the Eastern Division and for other necessary Services and that all those that are imploy'd on the said work shall be furnished with provision by the Managers at the Publick charge. And that the said Managers shall provide all things which shall be further necessary to Carry on the said work.

Joseph Kirkbride and John Reading appointed Commissioners by the Governour by vertue of an act Intituled an Act for running and ascertaining the Division line betwixt this Province and the Province of New York having on the part of this Division attended to the said work in the Months of June and July &c A D 1719 for the space of forty days in fixing the station point in the latitude of 41 deg: and 40 min: on Dellaware river which is the point of beginning as well for divideing between the Eastern and Western

part of this Province as between the province and the Province of New York are by agreement of the Managers and this board allow'd ten shillings p diem or twenty pounds each proclamation money for the said services It is also agree'd that James Allexander Surveyor Generall shall be allow'd thirty pounds like money for his services on the p^t of this Western Division in discovering the said Station at the time aforesaid

a true copy p me JOHN WILLS Cleric:

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